

# ***In the House of Representatives, U. S.,***

*July 24, 2006.*

*Resolved*, That the bill from the Senate (S. 203) entitled “An Act to reduce temporarily the royalty required to be paid for sodium produced, to establish certain National Heritage Areas, and for other purposes”, do pass with the following

## **AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2       (a) *SHORT TITLE.*—*This Act may be cited as the “Na-*  
3 *tional Heritage Areas Act of 2006”.*

4       (b) *TABLE OF CONTENTS.*—*The table of contents of this*  
5 *Act is as follows:*

*Sec. 1. Short title; table of contents.*

### ***TITLE I—SODA ASH ROYALTY REDUCTION***

*Sec. 101. Short title.*

*Sec. 102. Reduction in royalty rate on soda ash.*

*Sec. 103. Study.*

### ***TITLE II—ESTABLISHMENT OF NATIONAL HERITAGE AREAS***

#### ***Subtitle A—Northern Rio Grande National Heritage Area***

*Sec. 201. Short title.*

*Sec. 202. Congressional findings.*

*Sec. 203. Definitions.*

*Sec. 204. Northern Rio Grande National Heritage Area.*

*Sec. 205. Authority and duties of the Management Entity.*

*Sec. 206. Duties of the Secretary.*

*Sec. 207. Private property protections; savings provisions.*

*Sec. 208. Sunset.*

*Sec. 209. Authorization of appropriations.*

*Subtitle B—Atchafalaya National Heritage Area*

- Sec. 211. Short title.*
- Sec. 212. Definitions.*
- Sec. 213. Atchafalaya National Heritage Area.*
- Sec. 214. Authorities and duties of the local coordinating entity.*
- Sec. 215. Management Plan.*
- Sec. 216. Requirements for inclusion of private property.*
- Sec. 217. Private property protection.*
- Sec. 218. Effect of subtitle.*
- Sec. 219. Reports.*
- Sec. 220. Authorization of appropriations.*
- Sec. 221. Termination of authority.*

*Subtitle C—Arabia Mountain National Heritage Area*

- Sec. 231. Short title.*
- Sec. 232. Findings and purposes.*
- Sec. 233. Definitions.*
- Sec. 234. Arabia Mountain National Heritage Area.*
- Sec. 235. Authorities and duties of the local coordinating entity.*
- Sec. 236. Management Plan.*
- Sec. 237. Technical and financial assistance.*
- Sec. 238. Effect on certain authority.*
- Sec. 239. Authorization of appropriations.*
- Sec. 240. Termination of authority.*
- Sec. 241. Requirements for inclusion of private property.*
- Sec. 242. Private property protection.*

*Subtitle D—Mormon Pioneer National Heritage Area*

- Sec. 251. Short title.*
- Sec. 252. Findings and purpose.*
- Sec. 253. Definitions.*
- Sec. 254. Mormon Pioneer National Heritage Area.*
- Sec. 255. Designation of Alliance as local coordinating entity.*
- Sec. 256. Management of the Heritage Area.*
- Sec. 257. Duties and authorities of Federal agencies.*
- Sec. 258A. Requirements for inclusion of private property.*
- Sec. 258B. Private property protection.*
- Sec. 259. Authorization of appropriations.*
- Sec. 260. Termination of authority.*

*Subtitle E—Freedom’s Frontier National Heritage Area*

- Sec. 261. Short title.*
- Sec. 262. Purpose.*
- Sec. 263. Definitions.*
- Sec. 264. Freedom’s Frontier National Heritage Area.*
- Sec. 265. Technical and financial assistance; other Federal agencies.*
- Sec. 266. Private property protection.*
- Sec. 267. Savings provisions.*
- Sec. 268. Authorization of appropriations.*
- Sec. 269. Termination of authority.*

*Subtitle F—Upper Housatonic Valley National Heritage Area*

- Sec. 271. Short title.*
- Sec. 272. Findings and purposes.*
- Sec. 273. Definitions.*
- Sec. 274. Upper Housatonic Valley National Heritage Area.*
- Sec. 275. Authorities, prohibitions, and duties of the Management Entity.*
- Sec. 276. Management Plan.*
- Sec. 277. Duties and authorities of the Secretary.*
- Sec. 278. Duties of other Federal agencies.*
- Sec. 279. Requirements for inclusion of private property.*
- Sec. 280. Private property protection.*
- Sec. 280A. Authorization of appropriations.*
- Sec. 280B. Sunset.*

*Subtitle G—Champlain Valley National Heritage Partnership*

- Sec. 281. Short title.*
- Sec. 282. Findings and purposes.*
- Sec. 283. Definitions.*
- Sec. 284. Heritage Partnership.*
- Sec. 285. Requirements for inclusion of private property.*
- Sec. 286. Private property protection.*
- Sec. 287. Effect.*
- Sec. 288. Authorization of appropriations.*
- Sec. 109. Termination of authority.*

*Subtitle H—Great Basin National Heritage Route*

- Sec. 291. Short title.*
- Sec. 291A. Findings and purposes.*
- Sec. 291B. Definitions.*
- Sec. 291C. Great Basin National Heritage Route.*
- Sec. 291D. Memorandum of understanding.*
- Sec. 291E. Management Plan.*
- Sec. 291F. Authority and duties of local coordinating entity.*
- Sec. 291G. Duties and authorities of Federal agencies.*
- Sec. 291H. Land use regulation; applicability of Federal law.*
- Sec. 291I. Authorization of appropriations.*
- Sec. 291J. Termination of authority.*
- Sec. 291K. Requirements for inclusion of private property.*
- Sec. 291L. Private property protection.*

*Subtitle I—Gullah/Geechee Heritage Corridor*

- Sec. 295. Short title.*
- Sec. 295A. Purposes.*
- Sec. 295B. Definitions.*
- Sec. 295C. Gullah/Geechee Cultural Heritage Corridor.*
- Sec. 295D. Gullah/Geechee Cultural Heritage Corridor Commission.*
- Sec. 295E. Operation of the local coordinating entity.*
- Sec. 295F. Management Plan.*
- Sec. 295G. Technical and financial assistance.*
- Sec. 295H. Duties of other Federal agencies.*
- Sec. 295I. Coastal Heritage Centers.*
- Sec. 295J. Private property protection.*
- Sec. 295K. Authorization of appropriations.*

*Sec. 295L. Termination of authority.*

*Subtitle J—Crossroads of the American Revolution National Heritage Area*

*Sec. 297. Short title.*

*Sec. 297A. Findings and purposes.*

*Sec. 297B. Definitions.*

*Sec. 297C. Crossroads of the American Revolution National Heritage Area.*

*Sec. 297D. Management Plan.*

*Sec. 297E. Authorities, duties, and prohibitions applicable to the local coordinating entity.*

*Sec. 297F. Technical and financial assistance; other Federal agencies.*

*Sec. 297G. Authorization of appropriations.*

*Sec. 297H. Termination of authority.*

*Sec. 297I. Requirements for inclusion of private property.*

*Sec. 297J. Private property protection.*

**TITLE III—NATIONAL HERITAGE AREA STUDIES**

*Subtitle A—Western Reserve Heritage Area Study*

*Sec. 301. Short title.*

*Sec. 302. National Park Service study regarding the Western Reserve, Ohio.*

*Subtitle B—St. Croix National Heritage Area Study*

*Sec. 311. Short title.*

*Sec. 312. Study.*

*Subtitle C—Southern Campaign of the Revolution*

*Sec. 321. Short title.*

*Sec. 322. Southern Campaign of the Revolution Heritage Area study.*

*Sec. 323. Private property.*

**TITLE IV—ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE  
CORRIDOR ACT AMENDMENTS**

*Sec. 401. Short title.*

*Sec. 402. Transition and provisions for new local coordinating entity.*

*Sec. 403. Private property protection.*

*Sec. 404. Technical amendments.*

**TITLE V—MOKELUMNE RIVER FEASIBILITY STUDY**

*Sec. 501. Authorization of Mokelumne River Regional Water Storage and Conjunctive Use Project Study.*

*Sec. 502. Use of reports and other information.*

*Sec. 503. Cost shares.*

*Sec. 504. Water rights.*

*Sec. 505. Authorization of appropriations.*

**TITLE VI—DELAWARE NATIONAL COASTAL SPECIAL RESOURCES  
STUDY**

*Sec. 601. Short title.*

*Sec. 602. Study.*

*Sec. 603. Themes.*

*Sec. 604. Report.*

*TITLE VII—JOHN H. CHAFEE BLACKSTONE RIVER VALLEY  
NATIONAL HERITAGE CORRIDOR REAUTHORIZATION*

*Sec. 701. Short title.*

*Sec. 702. John H. Chafee Blackstone River Valley National Heritage Corridor.*

*TITLE VIII—CALIFORNIA RECLAMATION GROUNDWATER  
REMEDiation INITIATIVE*

*Sec. 801. Short title.*

*Sec. 802. Definitions.*

*Sec. 803. California basins remediation.*

*Sec. 804. Sunset of authority.*

*TITLE IX—NATIONAL COAL HERITAGE AREA*

*Sec. 901. National Coal Heritage Area amendments.*

1       ***TITLE I—SODA ASH ROYALTY***  
2                               ***REDUCTION***

3   ***SEC. 101. SHORT TITLE.***

4       *This title may be cited as the “Soda Ash Royalty Re-*  
5 *duction Act of 2006”.*

6   ***SEC. 102. REDUCTION IN ROYALTY RATE ON SODA ASH.***

7       *Notwithstanding section 102(a)(9) of the Federal Land*  
8 *Policy Management Act of 1976 (43 U.S.C. 1701(a)(9)),*  
9 *section 24 of the Mineral Leasing Act (30 U.S.C. 262), and*  
10 *the terms of any lease under that Act, the royalty rate on*  
11 *the quantity or gross value of the output of sodium com-*  
12 *pounds and related products at the point of shipment to*  
13 *market from Federal land in the 5-year period beginning*  
14 *on the date of enactment of this Act shall be 2 percent.*

15   ***SEC. 103. STUDY.***

16       *After the end of the 4-year period beginning on the*  
17 *date of enactment of this Act, and before the end of the 5-*  
18 *year period beginning on that date, the Secretary of the*

1 *Interior shall report to Congress on the effects of the royalty*  
 2 *reduction under this title, including—*

3 *(1) the amount of sodium compounds and related*  
 4 *products at the point of shipment to market from*  
 5 *Federal land during that 4-year period;*

6 *(2) the number of jobs that have been created or*  
 7 *maintained during the royalty reduction period;*

8 *(3) the total amount of royalty paid to the*  
 9 *United States on the quantity or gross value of the*  
 10 *output of sodium compounds and related products at*  
 11 *the point of shipment to market produced during that*  
 12 *4-year period, and the portion of such royalty paid*  
 13 *to States; and*

14 *(4) a recommendation of whether the reduced*  
 15 *royalty rate should apply after the end of the 5-year*  
 16 *period beginning on the date of enactment of this Act.*

17 ***TITLE II—ESTABLISHMENT OF***  
 18 ***NATIONAL HERITAGE AREAS***

19 ***Subtitle A—Northern Rio Grande***  
 20 ***National Heritage Area***

21 ***SEC. 201. SHORT TITLE.***

22 *This subtitle may be cited as the “Northern Rio*  
 23 *Grande National Heritage Area Act”.*

24 ***SEC. 202. CONGRESSIONAL FINDINGS.***

25 *The Congress finds that—*

1           (1) northern New Mexico encompasses a mosaic  
 2           of cultures and history, including 8 Pueblos and the  
 3           descendants of Spanish ancestors who settled in the  
 4           area in 1598;

5           (2) the combination of cultures, languages, folk  
 6           arts, customs, and architecture make northern New  
 7           Mexico unique;

8           (3) the area includes spectacular natural, scenic,  
 9           and recreational resources;

10          (4) there is broad support from local govern-  
 11          ments and interested individuals to establish a Na-  
 12          tional Heritage Area to coordinate and assist in the  
 13          preservation and interpretation of these resources;

14          (5) in 1991, the National Park Service study Al-  
 15          ternative Concepts for Commemorating Spanish Col-  
 16          onization identified several alternatives consistent  
 17          with the establishment of a National Heritage Area,  
 18          including conducting a comprehensive archaeological  
 19          and historical research program, coordinating a com-  
 20          prehensive interpretation program, and interpreting  
 21          a cultural heritage scene; and

22          (6) establishment of a National Heritage Area in  
 23          northern New Mexico would assist local communities  
 24          and residents in preserving these unique cultural, his-  
 25          torical and natural resources.

1 **SEC. 203. DEFINITIONS.**

2 *As used in this subtitle—*

3 *(1) the term “heritage area” means the Northern*  
 4 *Rio Grande Heritage Area; and*

5 *(2) the term “Secretary” means the Secretary of*  
 6 *the Interior.*

7 **SEC. 204. NORTHERN RIO GRANDE NATIONAL HERITAGE**  
 8 **AREA.**

9 *(a) ESTABLISHMENT.—There is hereby established the*  
 10 *Northern Rio Grande National Heritage Area in the State*  
 11 *of New Mexico.*

12 *(b) BOUNDARIES.—The heritage area shall include the*  
 13 *counties of Santa Fe, Rio Arriba, and Taos.*

14 *(c) MANAGEMENT ENTITY.—*

15 *(1) The Northern Rio Grande National Heritage*  
 16 *Area, Inc., a non-profit corporation chartered in the*  
 17 *State of New Mexico, shall serve as the management*  
 18 *entity for the heritage area.*

19 *(2) The Board of Directors for the management*  
 20 *entity shall include representatives of the State of*  
 21 *New Mexico, the counties of Santa Fe, Rio Arriba*  
 22 *and Taos, tribes and pueblos within the heritage area,*  
 23 *the cities of Santa Fe, Espanola and Taos, and mem-*  
 24 *bers of the general public. The total number of Board*  
 25 *members and the number of Directors representing*  
 26 *State, local and tribal governments and interested*



1        *communities shall be established to ensure that all*  
 2        *parties have appropriate representation on the Board.*

3    **SEC. 205. AUTHORITY AND DUTIES OF THE MANAGEMENT**  
 4        **ENTITY.**

5        *(a) MANAGEMENT PLAN.—*

6            *(1) Not later than 3 years after the date of enact-*  
 7        *ment of this Act, the management entity shall develop*  
 8        *and forward to the Secretary a management plan for*  
 9        *the heritage area.*

10          *(2) The management entity shall develop and*  
 11        *implement the management plan in cooperation with*  
 12        *affected communities, tribal and local governments*  
 13        *and shall provide for public involvement in the devel-*  
 14        *opment and implementation of the management plan.*

15          *(3) The management plan shall, at a min-*  
 16        *imum—*

17            *(A) provide recommendations for the con-*  
 18        *servation, funding, management, and develop-*  
 19        *ment of the resources of the heritage area;*

20            *(B) identify sources of funding;*

21            *(C) include an inventory of the cultural,*  
 22        *historical, archaeological, natural, and rec-*  
 23        *reational resources of the heritage area;*

24            *(D) provide recommendations for edu-*  
 25        *cational and interpretive programs to inform the*

1           *public about the resources of the heritage area;*  
2           *and*

3                     *(E) include an analysis of ways in which*  
4           *local, State, Federal, and tribal programs may*  
5           *best be coordinated to promote the purposes of*  
6           *this subtitle.*

7           *(4) If the management entity fails to submit a*  
8           *management plan to the secretary as provided in*  
9           *paragraph (1), the heritage area shall no longer be el-*  
10          *igible to receive Federal funding under this subtitle*  
11          *until such time as a plan is submitted to the Sec-*  
12          *retary.*

13           *(5) The Secretary shall approve or disapprove*  
14          *the management plan within 90 days after the date*  
15          *of submission. If the Secretary disapproves the man-*  
16          *agement plan, the Secretary shall advise the manage-*  
17          *ment entity in writing of the reasons therefore and*  
18          *shall make recommendations for revisions to the plan.*

19           *(6) The management entity shall periodically re-*  
20          *view the management plan and submit to the Sec-*  
21          *retary any recommendations for proposed revisions to*  
22          *the management plan. Any major revisions to the*  
23          *management plan must be approved by the Secretary.*

24          *(b) AUTHORITY.—The management entity may make*  
25          *grants and provide technical assistance to tribal and local*

1 *governments, and other public and private entities to carry*  
 2 *out the management plan.*

3 *(c) DUTIES.—The management entity shall—*

4 *(1) give priority in implementing actions set*  
 5 *forth in the management plan;*

6 *(2) encourage by appropriate means economic*  
 7 *viability in the heritage area consistent with the goals*  
 8 *of the management plan; and*

9 *(3) assist local and tribal governments and non-*  
 10 *profit organizations in—*

11 *(A) establishing and maintaining interpre-*  
 12 *tive exhibits in the heritage area;*

13 *(B) developing recreational resources in the*  
 14 *heritage area;*

15 *(C) increasing public awareness of, and ap-*  
 16 *preciation for, the cultural, historical, archae-*  
 17 *ological and natural resources and sits in the*  
 18 *heritage area;*

19 *(D) the restoration of historic structures re-*  
 20 *lated to the heritage area; and*

21 *(E) carrying out other actions that the*  
 22 *management entity determines appropriate to*  
 23 *fulfill the purposes of this subtitle, consistent*  
 24 *with the management plan.*

1       (d) *PROHIBITION ON ACQUIRING REAL PROPERTY.*—

2       *The management entity may not use Federal funds received*  
 3       *under this subtitle to acquire real property or an interest*  
 4       *in real property.*

5       (e) *PUBLIC MEETINGS.*—*The management entity shall*  
 6       *hold public meetings at least annually regarding the imple-*  
 7       *mentation of the management plan.*

8       (f) *ANNUAL REPORTS AND AUDITS.*—

9               (1) *For any year in which the management enti-*  
 10       *ty receives Federal funds under this subtitle, the man-*  
 11       *agement entity shall submit an annual report to the*  
 12       *Secretary setting forth accomplishments, expenses and*  
 13       *income, and each entity to which any grant was*  
 14       *made by the management entity.*

15              (2) *The management entity shall make available*  
 16       *to the Secretary for audit all records relating to the*  
 17       *expenditure of Federal funds and any matching*  
 18       *funds. The management entity shall also require, for*  
 19       *all agreements authorizing expenditure of Federal*  
 20       *funds by other organizations, that the receiving orga-*  
 21       *nization make available to the Secretary for audit all*  
 22       *records concerning the expenditure of those funds.*

23   **SEC. 206. DUTIES OF THE SECRETARY.**

24       (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—*The*  
 25       *Secretary may, upon request of the management entity,*

1 *provide technical and financial assistance to develop and*  
 2 *implement the management plan.*

3 (b) *PRIORITY.*—*In providing assistance under sub-*  
 4 *section (a), the Secretary shall give priority to actions that*  
 5 *facilitate—*

6 (1) *the conservation of the significant natural,*  
 7 *cultural, historical, archaeological, scenic, and rec-*  
 8 *reational resources of the heritage area; and*

9 (2) *the provision of educational, interpretive,*  
 10 *and recreational opportunities consistent with the re-*  
 11 *sources and associated values of the heritage area.*

12 **SEC. 207. PRIVATE PROPERTY PROTECTIONS; SAVINGS PRO-**  
 13 **VISIONS.**

14 (a) *PRIVATE PROPERTY PROTECTION.*—

15 (1) *NOTIFICATION AND CONSENT OF PROPERTY*  
 16 *OWNERS REQUIRED.*—*No privately owned property*  
 17 *shall be preserved, conserved, or promoted by the*  
 18 *management plan for the Heritage Area until the*  
 19 *owner of that private property has been notified in*  
 20 *writing by the management entity and has given*  
 21 *written consent for such preservation, conservation or*  
 22 *promotion to the management entity.*

23 (2) *LANDOWNER WITHDRAWAL.*—*Any owner of*  
 24 *private property included within the boundary of the*  
 25 *heritage area, shall have their property immediately*

1        *removed from within the boundary by submitting a*  
 2        *written request to the management entity.*

3            (3) *ACCESS TO PRIVATE PROPERTY.*—*Nothing in*  
 4        *this subtitle shall be construed to require any private*  
 5        *property owner to permit public access (including*  
 6        *Federal, State, or local government access) to such*  
 7        *private property. Nothing in this subtitle shall be con-*  
 8        *strued to modify any provision of Federal, State, or*  
 9        *local law with regard to public access to or use of pri-*  
 10       *rate lands.*

11           (4) *LIABILITY.*—*Designation of the heritage area*  
 12        *shall not be considered to create any liability, or to*  
 13        *have any effect on any liability under any other law,*  
 14        *of any private property owner with respect to any*  
 15        *persons injured on such private property.*

16           (5) *RECOGNITION OF AUTHORITY TO CONTROL*  
 17        *LAND USE.*—*Nothing in this subtitle shall be con-*  
 18        *strued to modify any authority of Federal, State, or*  
 19        *local governments to regulate land use.*

20           (6) *PARTICIPATION OF PRIVATE PROPERTY OWN-*  
 21        *ERS IN HERITAGE AREA.*—*Nothing in this subtitle*  
 22        *shall be construed to require the owner of any private*  
 23        *property located within the boundaries of the heritage*  
 24        *area to participate in or be associated with the herit-*  
 25        *age area.*

1       (b) *EFFECT OF ESTABLISHMENT.*—The boundaries  
 2       designated for the heritage area represent the area within  
 3       which Federal funds appropriated for the purpose of this  
 4       subtitle shall be expended. The establishment of the heritage  
 5       area and its boundaries shall not be construed to provide  
 6       any nonexisting regulatory authority on land use within  
 7       the heritage area or its viewshed by the Secretary, the Na-  
 8       tional Park Service, or the management entity.

9       (c) *TRIBAL LANDS.*—Nothing in this subtitle shall re-  
 10      strict or limit a tribe from protecting cultural or religious  
 11      sites on tribal lands.

12      (d) *TRUST RESPONSIBILITIES.*—Nothing in this sub-  
 13      title shall diminish the Federal Government’s trust respon-  
 14      sibilities or government-to-government obligations to any  
 15      federally recognized Indian tribe.

16      **SEC. 208. SUNSET.**

17      *The authority of the Secretary to provide assistance*  
 18      *under this subtitle terminates on the date that is 15 years*  
 19      *after the date of enactment of this Act.*

20      **SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

21      (a) *IN GENERAL.*—There are authorized to be appro-  
 22      priated to carry out this subtitle \$10,000,000, of which not  
 23      more than \$1,000,000 may be authorized to be appropriated  
 24      for any fiscal year.

1       (b) *COST-SHARING REQUIREMENT.*—*The Federal*  
 2 *share of the total cost of any activity assisted under this*  
 3 *subtitle shall be not more than 50 percent.*

4       ***Subtitle B—Atchafalaya National***  
 5               ***Heritage Area***

6       ***SEC. 211. SHORT TITLE.***

7       *This subtitle may be cited as the “Atchafalaya Na-*  
 8 *tional Heritage Area Act”.*

9       ***SEC. 212. DEFINITIONS.***

10       *In this subtitle:*

11               (1) *HERITAGE AREA.*—*The term “Heritage*  
 12 *Area” means the Atchafalaya National Heritage Area*  
 13 *established by section 213(a).*

14               (2) *LOCAL COORDINATING ENTITY.*—*The term*  
 15 *“local coordinating entity” means the local coordi-*  
 16 *nating entity for the Heritage Area designated by sec-*  
 17 *tion 213(c).*

18               (3) *MANAGEMENT PLAN.*—*The term “manage-*  
 19 *ment plan” means the management plan for the Her-*  
 20 *itage Area developed under section 215.*

21               (4) *SECRETARY.*—*The term “Secretary” means*  
 22 *the Secretary of the Interior.*

23               (5) *STATE.*—*The term “State” means the State*  
 24 *of Louisiana.*



1 **SEC. 213. ATCHAFALAYA NATIONAL HERITAGE AREA.**

2 (a) *ESTABLISHMENT.*—*There is established in the*  
 3 *State the Atchafalaya National Heritage Area.*

4 (b) *BOUNDARIES.*—*The Heritage Area shall consist of*  
 5 *the whole of the following parishes in the State: St. Mary,*  
 6 *Iberia, St. Martin, St. Landry, Avoyelles, Pointe Coupee,*  
 7 *Iberville, Assumption, Terrebonne, Lafayette, West Baton*  
 8 *Rouge, Concordia, East Baton Rouge, and Ascension Par-*  
 9 *ish.*

10 (c) *LOCAL COORDINATING ENTITY.*—

11 (1) *IN GENERAL.*—*The Atchafalaya Trace Com-*  
 12 *mission shall be the local coordinating entity for the*  
 13 *Heritage Area.*

14 (2) *COMPOSITION.*—*The local coordinating entity*  
 15 *shall be composed of 14 members appointed by the*  
 16 *governing authority of each parish within the Herit-*  
 17 *age Area.*

18 **SEC. 214. AUTHORITIES AND DUTIES OF THE LOCAL CO-**  
 19 **ORDINATING ENTITY.**

20 (a) *AUTHORITIES.*—*For the purposes of developing*  
 21 *and implementing the management plan and otherwise car-*  
 22 *rying out this subtitle, the local coordinating entity may—*

23 (1) *make grants to, and enter into cooperative*  
 24 *agreements with, the State, units of local government,*  
 25 *and private organizations;*

26 (2) *hire and compensate staff; and*

1           (3) *enter into contracts for goods and services.*

2           (b) *DUTIES.—The local coordinating entity shall—*

3                 (1) *submit to the Secretary for approval a man-*  
4 *agement plan;*

5                 (2) *implement the management plan, including*  
6 *providing assistance to units of government and oth-*  
7 *ers in—*

8                     (A) *carrying out programs that recognize*  
9 *important resource values within the Heritage*  
10 *Area;*

11                    (B) *encouraging sustainable economic devel-*  
12 *opment within the Heritage Area;*

13                    (C) *establishing and maintaining interpre-*  
14 *tive sites within the Heritage Area; and*

15                    (D) *increasing public awareness of, and ap-*  
16 *preciation for the natural, historic, and cultural*  
17 *resources of, the Heritage Area;*

18                 (3) *adopt bylaws governing the conduct of the*  
19 *local coordinating entity; and*

20                 (4) *for any year for which Federal funds are re-*  
21 *ceived under this subtitle, submit to the Secretary a*  
22 *report that describes, for the year—*

23                     (A) *the accomplishments of the local coordi-*  
24 *nating entity; and*

1                   (B) *the expenses and income of the local co-*  
 2                   *ordinating entity.*

3           (c) *ACQUISITION OF REAL PROPERTY.—The local co-*  
 4           *ordinating entity shall not use Federal funds received under*  
 5           *this subtitle to acquire real property or an interest in real*  
 6           *property.*

7           (d) *PUBLIC MEETINGS.—The local coordinating entity*  
 8           *shall conduct public meetings at least quarterly.*

9   **SEC. 215. MANAGEMENT PLAN.**

10          (a) *IN GENERAL.—The local coordinating entity shall*  
 11          *develop a management plan for the Heritage Area that in-*  
 12          *corporates an integrated and cooperative approach to pro-*  
 13          *tect, interpret, and enhance the natural, scenic, cultural,*  
 14          *historic, and recreational resources of the Heritage Area.*

15          (b) *CONSIDERATION OF OTHER PLANS AND AC-*  
 16          *TIONS.—In developing the management plan, the local co-*  
 17          *ordinating entity shall—*

18               (1) *take into consideration State and local plans;*

19               *and*

20               (2) *invite the participation of residents, public*  
 21               *agencies, and private organizations in the Heritage*  
 22               *Area.*

23          (c) *CONTENTS.—The management plan shall in-*  
 24          *clude—*

1           (1) *an inventory of the resources in the Heritage*  
2 *Area, including—*

3               (A) *a list of property in the Heritage Area*  
4 *that—*

5                   (i) *relates to the purposes of the Herit-*  
6 *age Area; and*

7                   (ii) *should be preserved, restored, man-*  
8 *aged, or maintained because of the signifi-*  
9 *cance of the property; and*

10               (B) *an assessment of cultural landscapes*  
11 *within the Heritage Area;*

12           (2) *provisions for the protection, interpretation,*  
13 *and enjoyment of the resources of the Heritage Area*  
14 *consistent with this subtitle;*

15           (3) *an interpretation plan for the Heritage Area;*  
16 *and*

17           (4) *a program for implementation of the man-*  
18 *agement plan that includes—*

19               (A) *actions to be carried out by units of*  
20 *government, private organizations, and public-*  
21 *private partnerships to protect the resources of*  
22 *the Heritage Area; and*

23               (B) *the identification of existing and poten-*  
24 *tial sources of funding for implementing the*  
25 *plan.*

1       (d) *SUBMISSION TO SECRETARY FOR APPROVAL.*—

2           (1) *IN GENERAL.*—Not later than 3 years after  
3       the date on which funds are made available to carry  
4       out this subtitle, the local coordinating entity shall  
5       submit the management plan to the Secretary for ap-  
6       proval.

7           (2) *EFFECT OF FAILURE TO SUBMIT.*—If a man-  
8       agement plan is not submitted to the Secretary by the  
9       date specified in paragraph (1), the Secretary shall  
10      not provide any additional funding under this sub-  
11      title until a management plan for the Heritage Area  
12      is submitted to the Secretary.

13      (e) *APPROVAL.*—

14           (1) *IN GENERAL.*—Not later than 90 days after  
15      receiving the management plan submitted under sub-  
16      section (d)(1), the Secretary, in consultation with the  
17      State, shall approve or disapprove the management  
18      plan.

19           (2) *ACTION FOLLOWING DISAPPROVAL.*—

20           (A) *IN GENERAL.*—If the Secretary dis-  
21      approves a management plan under paragraph  
22      (1), the Secretary shall—

23                   (i) advise the local coordinating entity  
24                   in writing of the reasons for the dis-  
25                   approval;

1                   (ii) make recommendations for revisions to the management plan; and

3                   (iii) allow the local coordinating entity to submit to the Secretary revisions to the management plan.

6                   (B) DEADLINE FOR APPROVAL OF REVISION.—Not later than 90 days after the date on which a revision is submitted under subparagraph (A)(iii), the Secretary shall approve or disapprove the revision.

11               (f) REVISION.—

12                   (1) IN GENERAL.—After approval by the Secretary of a management plan, the local coordinating entity shall periodically—

15                   (A) review the management plan; and

16                   (B) submit to the Secretary, for review and approval by the Secretary, the recommendations of the local coordinating entity for any revisions to the management plan that the local coordinating entity considers to be appropriate.

21                   (2) EXPENDITURE OF FUNDS.—No funds made available under this subtitle shall be used to implement any revision proposed by the local coordinating entity under paragraph (1)(B) until the Secretary approves the revision.

1 **SEC. 216. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 2 **PROPERTY.**

3 (a) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 4 *ERS REQUIRED.*—No privately owned property shall be pre-  
 5 served, conserved, or promoted by the management plan for  
 6 the Heritage Area until the owner of that private property  
 7 has been notified in writing by the local coordinating entity  
 8 and has given written consent to the local coordinating enti-  
 9 ty for such preservation, conservation, or promotion.

10 (b) *LANDOWNER WITHDRAWAL.*—Any owner of private  
 11 property included within the boundary of the Heritage Area  
 12 shall have that private property immediately removed from  
 13 the boundary by submitting a written request to the local  
 14 coordinating entity.

15 **SEC. 217. PRIVATE PROPERTY PROTECTION.**

16 (a) *ACCESS TO PRIVATE PROPERTY.*—Nothing in this  
 17 subtitle shall be construed to—

18 (1) *require any private property owner to allow*  
 19 *public access (including Federal, State, or local gov-*  
 20 *ernment access) to such private property; or*

21 (2) *modify any provision of Federal, State, or*  
 22 *local law with regard to public access to or use of pri-*  
 23 *vate property.*

24 (b) *LIABILITY.*—Designation of the Heritage Area  
 25 shall not be considered to create any liability, or to have  
 26 any effect on any liability under any other law, of any pri-

1 *vate property owner with respect to any persons injured*  
 2 *on that private property.*

3 *(c) PARTICIPATION OF PRIVATE PROPERTY OWNERS IN*  
 4 *HERITAGE AREA.—Nothing in this subtitle shall be con-*  
 5 *strued to require the owner of any private property located*  
 6 *within the boundaries of the Heritage Area to participate*  
 7 *in or be associated with the Heritage Area.*

8 **SEC. 218. EFFECT OF SUBTITLE.**

9 *Nothing in this subtitle or in establishment of the Her-*  
 10 *itage Area—*

11 *(1) grants any Federal agency regulatory au-*  
 12 *thority over any interest in the Heritage Area, unless*  
 13 *cooperatively agreed on by all involved parties;*

14 *(2) modifies, enlarges, or diminishes any author-*  
 15 *ity of the Federal Government or a State or local gov-*  
 16 *ernment to regulate any use of land as provided for*  
 17 *by law (including regulations) in existence on the*  
 18 *date of enactment of this Act;*

19 *(3) grants any power of zoning or land use to*  
 20 *the local coordinating entity;*

21 *(4) imposes any environmental, occupational,*  
 22 *safety, or other rule, standard, or permitting process*  
 23 *that is different from those in effect on the date of en-*  
 24 *actment of this Act that would be applicable had the*  
 25 *Heritage Area not been established;*



1           (5)(A) *imposes any change in Federal environ-*  
 2           *mental quality standards; or*

3           (B) *authorizes designation of any portion of the*  
 4           *Heritage Area that is subject to part C of title I of*  
 5           *the Clean Air Act (42 U.S.C. 7470 et seq.) as class*  
 6           *1 for the purposes of that part solely by reason of the*  
 7           *establishment of the Heritage Area;*

8           (6) *authorizes any Federal or State agency to*  
 9           *impose more restrictive water use designations, or*  
 10          *water quality standards on uses of or discharges to,*  
 11          *waters of the United States or waters of the State*  
 12          *within or adjacent to the Heritage Area solely by rea-*  
 13          *son of the establishment of the Heritage Area;*

14          (7) *abridges, restricts, or alters any applicable*  
 15          *rule, standard, or review procedure for permitting of*  
 16          *facilities within or adjacent to the Heritage Area; or*

17          (8) *affects the continuing use and operation,*  
 18          *where located on the date of enactment of this Act, of*  
 19          *any public utility or common carrier.*

20   **SEC. 219. REPORTS.**

21          *For any year in which Federal funds have been made*  
 22          *available under this subtitle, the local coordinating entity*  
 23          *shall submit to the Secretary a report that describes—*

24               (1) *the accomplishments of the local coordinating*  
 25               *entity; and*

1           (2) *the expenses and income of the local coordi-*  
 2           *nating entity.*

3   **SEC. 220. AUTHORIZATION OF APPROPRIATIONS.**

4           (a) *IN GENERAL.*—*There is authorized to be appro-*  
 5           *priated to carry out this subtitle \$10,000,000, to remain*  
 6           *available until expended, of which not more than*  
 7           *\$1,000,000 may be authorized to be appropriated for any*  
 8           *fiscal year.*

9           (b) *COST-SHARING REQUIREMENT.*—*The Federal*  
 10          *share of the total cost of any activity assisted under this*  
 11          *subtitle shall be not more than 50 percent unless the Sec-*  
 12          *retary determines that no reasonable means are available*  
 13          *through which the local coordinating entity can meet its*  
 14          *cost sharing requirement for that activity.*

15   **SEC. 221. TERMINATION OF AUTHORITY.**

16          *The authority of the Secretary to provide assistance*  
 17          *to the local coordinating entity under this subtitle termi-*  
 18          *nates on the date that is 15 years after the date of enact-*  
 19          *ment of this Act.*

20                ***Subtitle C—Arabia Mountain***  
 21                ***National Heritage Area***

22   **SEC. 231. SHORT TITLE.**

23          *This subtitle may be cited as the “Arabia Mountain*  
 24          *National Heritage Area Act”.*

1 **SEC. 232. FINDINGS AND PURPOSES.**

2 (a) *FINDINGS.*—Congress finds the following:

3 (1) *The Arabia Mountain area contains a vari-*  
 4 *ety of natural, cultural, historical, scenic, and rec-*  
 5 *reational resources that together represent distinctive*  
 6 *aspects of the heritage of the United States that are*  
 7 *worthy of recognition, conservation, interpretation,*  
 8 *and continuing use.*

9 (2) *The best methods for managing the resources*  
 10 *of the Arabia Mountain area would be through part-*  
 11 *nerships between public and private entities that com-*  
 12 *bine diverse resources and active communities.*

13 (3) *Davidson-Arabia Mountain Nature Preserve,*  
 14 *a 535-acre park in DeKalb County, Georgia—*

15 (A) *protects granite outcrop ecosystems,*  
 16 *wetland, and pine and oak forests; and*

17 (B) *includes federally-protected plant spe-*  
 18 *cies.*

19 (4) *Panola Mountain, a national natural land-*  
 20 *mark, located in the 860-acre Panola Mountain State*  
 21 *Conservation Park, is a rare example of a pristine*  
 22 *granite outcrop.*

23 (5) *The archaeological site at Miners Creek Pre-*  
 24 *serve along the South River contains documented evi-*  
 25 *dence of early human activity.*

1           (6) *The city of Lithonia, Georgia, and related*  
 2           *sites of Arabia Mountain and Stone Mountain possess*  
 3           *sites that display the history of granite mining as an*  
 4           *industry and culture in Georgia, and the impact of*  
 5           *that industry on the United States.*

6           (7) *The community of Klondike is eligible for*  
 7           *designation as a National Historic District.*

8           (8) *The city of Lithonia has 2 structures listed*  
 9           *on the National Register of Historic Places.*

10          (b) *PURPOSES.—The purposes of this subtitle are as*  
 11          *follows:*

12           (1) *To recognize, preserve, promote, interpret,*  
 13           *and make available for the benefit of the public the*  
 14           *natural, cultural, historical, scenic, and recreational*  
 15           *resources in the area that includes Arabia Mountain,*  
 16           *Panola Mountain, Miners Creek, and other signifi-*  
 17           *cant sites and communities.*

18           (2) *To assist the State of Georgia and the coun-*  
 19           *ties of DeKalb, Rockdale, and Henry in the State in*  
 20           *developing and implementing an integrated cultural,*  
 21           *historical, and land resource management program to*  
 22           *protect, enhance, and interpret the significant re-*  
 23           *sources within the heritage area.*

24          **SEC. 233. DEFINITIONS.**

25          *In this subtitle:*

1           (1) *HERITAGE AREA.*—*The term “heritage area”*  
 2           *means the Arabia Mountain National Heritage Area*  
 3           *established by section 234(a).*

4           (2) *LOCAL COORDINATING ENTITY.*—*The term*  
 5           *“local coordinating entity” means the Arabia Moun-*  
 6           *tain Heritage Area Alliance or a successor of the Ara-*  
 7           *bia Mountain Heritage Area Alliance.*

8           (3) *MANAGEMENT PLAN.*—*The term “manage-*  
 9           *ment plan” means the management plan for the her-*  
 10          *itage area developed under section 236.*

11          (4) *SECRETARY.*—*The term “Secretary” means*  
 12          *the Secretary of the Interior.*

13          (5) *STATE.*—*The term “State” means the State*  
 14          *of Georgia.*

15 **SEC. 234. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.**

16          (a) *ESTABLISHMENT.*—*There is established the Arabia*  
 17          *Mountain National Heritage Area in the State.*

18          (b) *BOUNDARIES.*—*The heritage area shall consist of*  
 19          *certain parcels of land in the counties of DeKalb, Rockdale,*  
 20          *and Henry in the State, as generally depicted on the map*  
 21          *entitled “Arabia Mountain National Heritage Area”, num-*  
 22          *bered AMNHA–80,000, and dated October 2003.*

23          (c) *AVAILABILITY OF MAP.*—*The map shall be on file*  
 24          *and available for public inspection in the appropriate of-*  
 25          *fices of the National Park Service.*

1       (d) *LOCAL COORDINATING ENTITY.*—*The Arabia*  
 2 *Mountain Heritage Area Alliance shall be the local coordi-*  
 3 *nating entity for the heritage area.*

4 **SEC. 235. AUTHORITIES AND DUTIES OF THE LOCAL CO-**  
 5 **ORDINATING ENTITY.**

6       (a) *AUTHORITIES.*—*For purposes of developing and*  
 7 *implementing the management plan, the local coordinating*  
 8 *entity may—*

9               (1) *make grants to, and enter into cooperative*  
 10 *agreements with, the State, political subdivisions of*  
 11 *the State, and private organizations;*

12               (2) *hire and compensate staff; and*

13               (3) *enter into contracts for goods and services.*

14       (b) *DUTIES.*—

15               (1) *MANAGEMENT PLAN.*—

16                       (A) *IN GENERAL.*—*The local coordinating*  
 17 *entity shall develop and submit to the Secretary*  
 18 *the management plan.*

19                       (B) *CONSIDERATIONS.*—*In developing and*  
 20 *implementing the management plan, the local co-*  
 21 *ordinating entity shall consider the interests of*  
 22 *diverse governmental, business, and nonprofit*  
 23 *groups within the heritage area.*

1           (2) *PRIORITIES.*—*The local coordinating entity*  
 2           *shall give priority to implementing actions described*  
 3           *in the management plan, including the following:*

4                   (A) *Assisting units of government and non-*  
 5                   *profit organizations in preserving resources*  
 6                   *within the heritage area.*

7                   (B) *Encouraging local governments to adopt*  
 8                   *land use policies consistent with the management*  
 9                   *of the heritage area and the goals of the manage-*  
 10                  *ment plan.*

11          (3) *PUBLIC MEETINGS.*—*The local coordinating*  
 12          *entity shall conduct public meetings at least quarterly*  
 13          *on the implementation of the management plan.*

14          (4) *ANNUAL REPORT.*—*For any year in which*  
 15          *Federal funds have been made available under this*  
 16          *title, the local coordinating entity shall submit to the*  
 17          *Secretary an annual report that describes the fol-*  
 18          *lowing:*

19                   (A) *The accomplishments of the local coordi-*  
 20                   *nating entity.*

21                   (B) *The expenses and income of the local co-*  
 22                   *ordinating entity.*

23          (5) *AUDIT.*—*The local coordinating entity*  
 24          *shall—*

1           (A) make available to the Secretary for  
 2           audit all records relating to the expenditure of  
 3           Federal funds and any matching funds; and

4           (B) require, with respect to all agreements  
 5           authorizing expenditure of Federal funds by  
 6           other organizations, that the receiving organiza-  
 7           tions make available to the Secretary for audit  
 8           all records concerning the expenditure of those  
 9           funds.

10       (c) *USE OF FEDERAL FUNDS.*—

11           (1) *IN GENERAL.*—The local coordinating entity  
 12           shall not use Federal funds made available under this  
 13           title to acquire real property or an interest in real  
 14           property.

15           (2) *OTHER SOURCES.*—Nothing in this title pre-  
 16           cludes the local coordinating entity from using Fed-  
 17           eral funds made available under other Federal laws  
 18           for any purpose for which the funds are authorized to  
 19           be used.

20       **SEC. 236. MANAGEMENT PLAN.**

21           (a) *IN GENERAL.*—The local coordinating entity shall  
 22           develop a management plan for the heritage area that incor-  
 23           porates an integrated and cooperative approach to protect,  
 24           interpret, and enhance the natural, cultural, historical, sce-  
 25           nic, and recreational resources of the heritage area.



1       (b) *BASIS.*—*The management plan shall be based on*  
 2 *the preferred concept in the document entitled “Arabia*  
 3 *Mountain National Heritage Area Feasibility Study”,*  
 4 *dated February 28, 2001.*

5       (c) *CONSIDERATION OF OTHER PLANS AND AC-*  
 6 *TIONS.*—*The management plan shall—*

7           (1) *take into consideration State and local plans;*  
 8       *and*

9           (2) *involve residents, public agencies, and pri-*  
 10 *ivate organizations in the heritage area.*

11       (d) *REQUIREMENTS.*—*The management plan shall in-*  
 12 *clude the following:*

13           (1) *An inventory of the resources in the heritage*  
 14 *area, including—*

15               (A) *a list of property in the heritage area*  
 16 *that—*

17                   (i) *relates to the purposes of the herit-*  
 18 *age area; and*

19                   (ii) *should be preserved, restored, man-*  
 20 *aged, or maintained because of the signifi-*  
 21 *cance of the property; and*

22               (B) *an assessment of cultural landscapes*  
 23 *within the heritage area.*

1           (2) *Provisions for the protection, interpretation,*  
 2           *and enjoyment of the resources of the heritage area*  
 3           *consistent with the purposes of this subtitle.*

4           (3) *An interpretation plan for the heritage area.*

5           (4) *A program for implementation of the man-*  
 6           *agement plan that includes—*

7                   (A) *actions to be carried out by units of*  
 8                   *government, private organizations, and public-*  
 9                   *private partnerships to protect the resources of*  
 10                  *the heritage area; and*

11                   (B) *the identification of existing and poten-*  
 12                   *tial sources of funding for implementing the*  
 13                  *plan.*

14           (5) *A description and evaluation of the local co-*  
 15           *ordinating entity, including the membership and or-*  
 16           *ganizational structure of the local coordinating enti-*  
 17           *ty.*

18           (e) *SUBMISSION TO SECRETARY FOR APPROVAL.—*

19                   (1) *IN GENERAL.—Not later than 3 years after*  
 20           *the date on which funds are made available to carry*  
 21           *out this subtitle, the local coordinating entity shall*  
 22           *submit the management plan to the Secretary for ap-*  
 23           *proval.*

24                   (2) *EFFECT OF FAILURE TO SUBMIT.—If a man-*  
 25           *agement plan is not submitted to the Secretary by the*

1        *date specified in paragraph (1), the Secretary shall*  
 2        *not provide any additional funding under this sub-*  
 3        *title until such date as a management plan for the*  
 4        *heritage area is submitted to the Secretary.*

5        *(f) APPROVAL AND DISAPPROVAL OF MANAGEMENT*  
 6        *PLAN.—*

7                *(1) IN GENERAL.—Not later than 90 days after*  
 8        *receiving the management plan submitted under sub-*  
 9        *section (e), the Secretary, in consultation with the*  
 10        *State, shall approve or disapprove the management*  
 11        *plan.*

12                *(2) ACTION FOLLOWING DISAPPROVAL.—*

13                        *(A) REVISION.—If the Secretary dis-*  
 14        *approves a management plan submitted under*  
 15        *paragraph (1), the Secretary shall—*

16                                *(i) advise the local coordinating entity*  
 17                                *in writing of the reasons for the dis-*  
 18                                *approval;*

19                                *(ii) make recommendations for revi-*  
 20                                *sions to the management plan; and*

21                                *(iii) allow the local coordinating entity*  
 22                                *to submit to the Secretary revisions to the*  
 23                                *management plan.*

24                        *(B) DEADLINE FOR APPROVAL OF REVI-*  
 25        *SION.—Not later than 90 days after the date on*

1           *which a revision is submitted under subpara-*  
 2           *graph (A)(iii), the Secretary shall approve or*  
 3           *disapprove the revision.*

4           *(g) REVISION OF MANAGEMENT PLAN.—*

5           *(1) IN GENERAL.—After approval by the Sec-*  
 6           *retary of a management plan, the local coordinating*  
 7           *entity shall periodically—*

8                     *(A) review the management plan; and*

9                     *(B) submit to the Secretary, for review and*  
 10           *approval by the Secretary, the recommendations*  
 11           *of the local coordinating entity for any revisions*  
 12           *to the management plan that the local coordi-*  
 13           *nating entity considers to be appropriate.*

14           *(2) EXPENDITURE OF FUNDS.—No funds made*  
 15           *available under this subtitle shall be used to imple-*  
 16           *ment any revision proposed by the local coordinating*  
 17           *entity under paragraph (1)(B) until the Secretary*  
 18           *approves the revision.*

19   **SEC. 237. TECHNICAL AND FINANCIAL ASSISTANCE.**

20           *(a) IN GENERAL.—At the request of the local coordi-*  
 21           *nating entity, the Secretary may provide technical and fi-*  
 22           *nancial assistance to the heritage area to develop and im-*  
 23           *plement the management plan.*

1       (b) *PRIORITY*.—In providing assistance under sub-  
 2       section (a), the Secretary shall give priority to actions that  
 3       facilitate—

4               (1) *the conservation of the significant natural,*  
 5       *cultural, historical, scenic, and recreational resources*  
 6       *that support the purposes of the heritage area; and*

7               (2) *the provision of educational, interpretive,*  
 8       *and recreational opportunities that are consistent*  
 9       *with the resources and associated values of the herit-*  
 10       *age area.*

11   **SEC. 238. EFFECT ON CERTAIN AUTHORITY.**

12       (a) *OCCUPATIONAL, SAFETY, CONSERVATION, AND EN-*  
 13       *VIRONMENTAL REGULATION*.—Nothing in this subtitle—

14               (1) *imposes an occupational, safety, conserva-*  
 15       *tion, or environmental regulation on the heritage area*  
 16       *that is more stringent than the regulations that would*  
 17       *be applicable to the land described in section 234(b)*  
 18       *but for the establishment of the heritage area by sec-*  
 19       *tion 234(a); or*

20               (2) *authorizes a Federal agency to promulgate*  
 21       *an occupational, safety, conservation, or environ-*  
 22       *mental regulation for the heritage area that is more*  
 23       *stringent than the regulations applicable to the land*  
 24       *described in section 234(b) as of the date of enactment*

1       *of this Act, solely as a result of the establishment of*  
 2       *the heritage area by section 234(a).*

3       **(b) LAND USE REGULATION.**—*Nothing in this sub-*  
 4       *title—*

5               *(1) modifies, enlarges, or diminishes any author-*  
 6       *ity of the Federal Government or a State or local gov-*  
 7       *ernment to regulate any use of land as provided for*  
 8       *by law (including regulations) in existence on the*  
 9       *date of enactment of this Act; or*

10              *(2) grants powers of zoning or land use to the*  
 11       *local coordinating entity.*

12       **SEC. 239. AUTHORIZATION OF APPROPRIATIONS.**

13       **(a) IN GENERAL.**—*There is authorized to be appro-*  
 14       *priated to carry out this subtitle \$10,000,000, to remain*  
 15       *available until expended, of which not more than*  
 16       *\$1,000,000 may be authorized to be appropriated for any*  
 17       *fiscal year.*

18       **(b) FEDERAL SHARE.**—*The Federal share of the cost*  
 19       *of any project or activity carried out using funds made*  
 20       *available under this subtitle shall not exceed 50 percent.*

21       **SEC. 240. TERMINATION OF AUTHORITY.**

22       *The authority of the Secretary to provide assistance*  
 23       *under this subsubtitle terminates on the date that is 15*  
 24       *years after the date of enactment of this Act.*

1 **SEC. 241. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 2 **PROPERTY.**

3 (a) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 4 *ERS REQUIRED.*—No privately owned property shall be pre-  
 5 served, conserved, or promoted by the management plan for  
 6 the Heritage Area until the owner of that private property  
 7 has been notified in writing by the management entity and  
 8 has given written consent for such preservation, conserva-  
 9 tion, or promotion to the management entity.

10 (b) *LANDOWNER WITHDRAW.*—Any owner of private  
 11 property included within the boundary of the Heritage Area  
 12 shall have their property immediately removed from the  
 13 boundary by submitting a written request to the manage-  
 14 ment entity.

15 **SEC. 242. PRIVATE PROPERTY PROTECTION.**

16 (a) *ACCESS TO PRIVATE PROPERTY.*—Nothing in this  
 17 subtitle shall be construed to—

18 (1) *require any private property owner to allow*  
 19 *public access (including Federal, State, or local gov-*  
 20 *ernment access) to such private property; or*

21 (2) *modify any provision of Federal, State, or*  
 22 *local law with regard to public access to or use of pri-*  
 23 *ivate property.*

24 (b) *LIABILITY.*—Designation of the Heritage Area  
 25 shall not be considered to create any liability, or to have  
 26 any effect on any liability under any other law, of any pri-

1 vate property owner with respect to any persons injured  
 2 on such private property.

3 (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 4 *USE.*—Nothing in this subtitle shall be construed to modify  
 5 the authority of Federal, State, or local governments to reg-  
 6 ulate land use.

7 (d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 8 *IN HERITAGE AREA.*—Nothing in this subtitle shall be con-  
 9 strued to require the owner of any private property located  
 10 within the boundaries of the Heritage Area to participate  
 11 in or be associated with the Heritage Area.

12 (e) *EFFECT OF ESTABLISHMENT.*—The boundaries  
 13 designated for the Heritage Area represent the area within  
 14 which Federal funds appropriated for the purpose of this  
 15 subtitle may be expended. The establishment of the Heritage  
 16 Area and its boundaries shall not be construed to provide  
 17 any nonexisting regulatory authority on land use within  
 18 the Heritage Area or its viewshed by the Secretary, the Na-  
 19 tional Park Service, or the management entity.

20 ***Subtitle D—Mormon Pioneer***  
 21 ***National Heritage Area***

22 ***SEC. 251. SHORT TITLE.***

23 *This subtitle may be cited as the “Mormon Pioneer Na-*  
 24 *tional Heritage Area Act”.*



1 **SEC. 252. FINDINGS AND PURPOSE.**

2 (a) *FINDINGS.*—Congress finds that—

3 (1) *the historical, cultural, and natural heritage*  
 4 *legacies of Mormon colonization and settlement are*  
 5 *nationally significant;*

6 (2) *in the area starting along the Highway 89*  
 7 *corridor at the Arizona border, passing through Kane,*  
 8 *Garfield, Piute, Sevier, Wayne, and Sanpete Counties*  
 9 *in the State of Utah, and terminating in Fairview,*  
 10 *Utah, there are a variety of heritage resources that*  
 11 *demonstrate—*

12 (A) *the colonization of the western United*  
 13 *States; and*

14 (B) *the expansion of the United States as a*  
 15 *major world power;*

16 (3) *the great relocation to the western United*  
 17 *States was facilitated by—*

18 (A) *the 1,400-mile trek from Illinois to the*  
 19 *Great Salt Lake by the Mormon pioneers; and*

20 (B) *the subsequent colonization effort in Ne-*  
 21 *vada, Utah, the southeast corner of Idaho, the*  
 22 *southwest corner of Wyoming, large areas of*  
 23 *southeastern Oregon, much of southern Cali-*  
 24 *fornia, and areas along the eastern border of*  
 25 *California;*

1           (4) *the 250-mile Highway 89 corridor from*  
 2           *Kanab to Fairview, Utah, contains some of the best*  
 3           *features of the Mormon colonization experience in the*  
 4           *United States;*

5           (5) *the landscape, architecture, traditions, be-*  
 6           *liefs, folk life, products, and events along Highway 89*  
 7           *convey the heritage of the pioneer settlement;*

8           (6) *the Boulder Loop, Capitol Reef National*  
 9           *Park, Zion National Park, Bryce Canyon National*  
 10          *Park, and the Highway 89 area convey the compel-*  
 11          *ling story of how early settlers—*

12                   (A) *interacted with Native Americans; and*

13                   (B) *established towns and cities in a harsh,*  
 14           *yet spectacular, natural environment;*

15           (7) *the colonization and settlement of the Mor-*  
 16           *mon settlers opened up vast amounts of natural re-*  
 17           *sources, including coal, uranium, silver, gold, and*  
 18           *copper;*

19           (8) *the Mormon colonization played a significant*  
 20           *role in the history and progress of the development*  
 21           *and settlement of the western United States; and*

22           (9) *the artisans, crafters, innkeepers, outfitters,*  
 23           *farmers, ranchers, loggers, miners, historic landscape,*  
 24           *customs, national parks, and architecture in the Her-*  
 25           *itage Area make the Heritage Area unique.*

1       (b) *PURPOSE.*—*The purpose of this subtitle is to estab-*  
 2 *lish the Heritage Area to—*

3           (1) *foster a close working relationship with all*  
 4 *levels of government, the private sector, residents,*  
 5 *business interests, and local communities in the State;*

6           (2) *empower communities in the State to con-*  
 7 *serve, preserve, and enhance the heritage of the com-*  
 8 *munities while strengthening future economic oppor-*  
 9 *tunities;*

10          (3) *conserve, interpret, and develop the histor-*  
 11 *ical, cultural, natural, and recreational resources*  
 12 *within the Heritage Area; and*

13          (4) *expand, foster, and develop heritage busi-*  
 14 *nesses and products relating to the cultural heritage*  
 15 *of the Heritage Area.*

16 **SEC. 253. DEFINITIONS.**

17       *In this subtitle:*

18           (1) *ALLIANCE.*—*The term “Alliance” means the*  
 19 *Utah Heritage Highway 89 Alliance.*

20           (2) *HERITAGE AREA.*—*The term “Heritage*  
 21 *Area” means the Mormon Pioneer National Heritage*  
 22 *Area established by section 254(a).*

23           (3) *LOCAL COORDINATING ENTITY.*—*The term*  
 24 *“local coordinating entity” means the local coordi-*

1        *nating entity for the Heritage Area designated by sec-*  
 2        *tion 255(a).*

3            (4) *MANAGEMENT PLAN.*—*The term “manage-*  
 4        *ment plan” means the plan developed by the local co-*  
 5        *ordinating entity under section 256(a).*

6            (5) *SECRETARY.*—*The term “Secretary” means*  
 7        *the Secretary of the Interior.*

8            (6) *STATE.*—*The term “State” means the State*  
 9        *of Utah.*

10    ***SEC. 254. MORMON PIONEER NATIONAL HERITAGE AREA.***

11        (a) *ESTABLISHMENT.*—*There is established the Mor-*  
 12        *mon Pioneer National Heritage Area.*

13        (b) *BOUNDARIES.*—

14            (1) *IN GENERAL.*—*The boundaries of the Herit-*  
 15        *age Area shall include areas in the State —*

16            (A) *that are related to the corridors—*

17                    (i) *from the Arizona border northward*  
 18                    *through Kanab, Utah, and to the intersec-*  
 19                    *tion of Highway 89 and Highway 12, in-*  
 20                    *cluding Highway 12 and Highway 24 as*  
 21                    *those highways loop off Highway 89 and re-*  
 22                    *join Highway 89 at Sigurd;*

23                    (ii) *from Highway 89 at the intersec-*  
 24                    *tion of Highway 12 through Panguitch,*

1                   *Junction, Marysvale, and Sevier County to*  
 2                   *Sigurd;*

3                   (iii) *continuing northward along*  
 4                   *Highway 89 through Axtell and Sterling,*  
 5                   *Sanpete County, to Fairview, Sanpete*  
 6                   *County, at the junction with Utah Highway*  
 7                   *31; and*

8                   (iv) *continuing northward along High-*  
 9                   *way 89 through Fairview and Thistle Junc-*  
 10                  *tion, to the junction with Highway 6; and*

11                  (B) *including the following communities:*  
 12                  *Kanab, Mt. Carmel, Orderville, Glendale, Alton,*  
 13                  *Cannonville, Tropic, Henrieville, Escalante,*  
 14                  *Boulder, Teasdale, Fruita, Hanksville, Torrey,*  
 15                  *Bicknell, Loa, Hatch, Panquitch, Circleville, An-*  
 16                  *timony, Junction, Marysvale, Koosharem, Sevier,*  
 17                  *Joseph, Monroe, Elsinore, Richfield, Glenwood,*  
 18                  *Sigurd, Aurora, Salina, Mayfield, Sterling,*  
 19                  *Gunnison, Fayette, Manti, Ephraim, Spring*  
 20                  *City, Mt. Pleasant, Moroni, Fountain Green,*  
 21                  *and Fairview.*

22                  (2) *MAP.—The Secretary shall prepare a map of*  
 23                  *the Heritage Area, which shall be on file and avail-*  
 24                  *able for public inspection in the office of the Director*  
 25                  *of the National Park Service.*

1           (3) *NOTICE TO LOCAL GOVERNMENTS.*—*The local*  
 2           *coordinating entity shall provide to the government of*  
 3           *each city, town, and county that has jurisdiction over*  
 4           *property proposed to be included in the Heritage Area*  
 5           *written notice of the proposed inclusion.*

6           (c) *ADMINISTRATION.*—*The Heritage Area shall be ad-*  
 7           *ministered in accordance with this subtitle.*

8   **SEC. 255. DESIGNATION OF ALLIANCE AS LOCAL COORDI-**  
 9                                   **NATING ENTITY.**

10          (a) *IN GENERAL.*—*The Board of Directors of the Alli-*  
 11          *ance shall be the local coordinating entity for the Heritage*  
 12          *Area.*

13          (b) *FEDERAL FUNDING.*—

14               (1) *AUTHORIZATION TO RECEIVE FUNDS.*—*The*  
 15               *local coordinating entity may receive amounts made*  
 16               *available to carry out this subtitle.*

17               (2) *DISQUALIFICATION.*—*If a management plan*  
 18               *is not submitted to the Secretary as required under*  
 19               *section 256 within the time period specified in that*  
 20               *section, the local coordinating entity may not receive*  
 21               *Federal funding under this subtitle until a manage-*  
 22               *ment plan is submitted to the Secretary.*

23          (c) *USE OF FEDERAL FUNDS.*—*The local coordinating*  
 24          *entity may, for the purposes of developing and imple-*

1 *menting the management plan, use Federal funds made*  
 2 *available under this subtitle—*

3 *(1) to make grants to the State, political subdivi-*  
 4 *sions of the State, nonprofit organizations, and other*  
 5 *persons;*

6 *(2) to enter into cooperative agreements with or*  
 7 *provide technical assistance to the State, political*  
 8 *subdivisions of the State, nonprofit organizations,*  
 9 *and other organizations;*

10 *(3) to hire and compensate staff;*

11 *(4) to obtain funds from any source under any*  
 12 *program or law requiring the recipient of funds to*  
 13 *make a contribution in order to receive the funds; and*

14 *(5) to contract for goods and services.*

15 *(d) PROHIBITION OF ACQUISITION OF REAL PROP-*  
 16 *ERTY.—The local coordinating entity shall not use Federal*  
 17 *funds received under this subtitle to acquire real property*  
 18 *or any interest in real property.*

19 **SEC. 256. MANAGEMENT OF THE HERITAGE AREA.**

20 *(a) HERITAGE AREA MANAGEMENT PLAN.—*

21 *(1) DEVELOPMENT AND SUBMISSION FOR RE-*  
 22 *VIEW.—Not later than 3 years after the date on which*  
 23 *funds are made available to carry out the subtitle, the*  
 24 *local coordinating entity, with public participation,*

1       *shall develop and submit for review to the Secretary*  
2       *a management plan for the Heritage Area.*

3           (2) *CONTENTS.—The management plan shall—*

4               (A) *present comprehensive recommendations*  
5               *for the conservation, funding, management, and*  
6               *development of the Heritage Area;*

7               (B) *take into consideration Federal, State,*  
8               *county, and local plans;*

9               (C) *involve residents, public agencies, and*  
10              *private organizations in the Heritage Area;*

11              (D) *include a description of actions that*  
12              *units of government and private organizations*  
13              *are recommended to take to protect the resources*  
14              *of the Heritage Area;*

15              (E) *specify existing and potential sources of*  
16              *Federal and non-Federal funding for the con-*  
17              *servation, management, and development of the*  
18              *Heritage Area; and*

19              (F) *include—*

20                   (i) *an inventory of resources in the*  
21                   *Heritage Area that—*

22                           (I) *includes a list of property in*  
23                           *the Heritage Area that should be con-*  
24                           *served, restored, managed, developed, or*  
25                           *maintained because of the historical,*



1                    *cultural, or natural significance of the*  
 2                    *property as the property relates to the*  
 3                    *themes of the Heritage Area; and*

4                    *(II) does not include any property*  
 5                    *that is privately owned unless the*  
 6                    *owner of the property consents in writ-*  
 7                    *ing to the inclusion;*

8                    *(ii) a recommendation of policies for*  
 9                    *resource management that consider the ap-*  
 10                    *plication of appropriate land and water*  
 11                    *management techniques, including policies*  
 12                    *for the development of intergovernmental co-*  
 13                    *operative agreements to manage the histor-*  
 14                    *ical, cultural, and natural resources and*  
 15                    *recreational opportunities of the Heritage*  
 16                    *Area in a manner that is consistent with*  
 17                    *the support of appropriate and compatible*  
 18                    *economic viability;*

19                    *(iii) a program for implementation of*  
 20                    *the management plan, including plans for*  
 21                    *restoration and construction;*

22                    *(iv) a description of any commitments*  
 23                    *that have been made by persons interested*  
 24                    *in management of the Heritage Area;*

1                   (v) *an analysis of means by which*  
 2                   *Federal, State, and local programs may best*  
 3                   *be coordinated to promote the purposes of*  
 4                   *this subtitle; and*

5                   (vi) *an interpretive plan for the Herit-*  
 6                   *age Area.*

7                   (3) *APPROVAL OR DISAPPROVAL OF THE MAN-*  
 8                   *AGEMENT PLAN.—*

9                   (A) *IN GENERAL.—Not later than 180 days*  
 10                  *after submission of the management plan by the*  
 11                  *local coordinating entity, the Secretary shall ap-*  
 12                  *prove or disapprove the management plan.*

13                  (B) *DISAPPROVAL AND REVISIONS.—*

14                  (i) *IN GENERAL.—If the Secretary dis-*  
 15                  *approves the management plan, the Sec-*  
 16                  *retary shall—*

17                         (I) *advise the local coordinating*  
 18                         *entity, in writing, of the reasons for*  
 19                         *the disapproval; and*

20                         (II) *make recommendations for*  
 21                         *revision of the management plan.*

22                  (ii) *APPROVAL OR DISAPPROVAL.—The*  
 23                  *Secretary shall approve or disapprove pro-*  
 24                  *posed revisions to the management plan not*

1                   *later than 60 days after receipt of the revi-*  
 2                   *sions from the local coordinating entity.*

3           (b) *PRIORITIES.*—*The local coordinating entity shall*  
 4 *give priority to the implementation of actions, goals, and*  
 5 *policies set forth in the management plan, including—*

6                   (1) *assisting units of government, regional plan-*  
 7 *ning organizations, and nonprofit organizations in—*

8                   (A) *conserving the historical, cultural, and*  
 9 *natural resources of the Heritage Area;*

10                  (B) *establishing and maintaining interpre-*  
 11 *tive exhibits in the Heritage Area;*

12                  (C) *developing recreational opportunities in*  
 13 *the Heritage Area;*

14                  (D) *increasing public awareness of and ap-*  
 15 *preciation for the historical, cultural, and nat-*  
 16 *ural resources of the Heritage Area;*

17                  (E) *restoring historic buildings that are—*

18                          (i) *located within the boundaries of the*  
 19 *Heritage Area; and*

20                          (ii) *related to the theme of the Heritage*  
 21 *Area; and*

22                  (F) *ensuring that clear, consistent, and en-*  
 23 *vironmentally appropriate signs identifying ac-*  
 24 *cess points and sites of interest are put in place*  
 25 *throughout the Heritage Area; and*

1           (2) *consistent with the goals of the management*  
 2           *plan, encouraging economic viability in the affected*  
 3           *communities by appropriate means, including en-*  
 4           *couraging and soliciting the development of heritage*  
 5           *products.*

6           (c) *CONSIDERATION OF INTERESTS OF LOCAL*  
 7           *GROUPS.—In developing and implementing the manage-*  
 8           *ment plan, the local coordinating entity shall consider the*  
 9           *interests of diverse units of government, businesses, private*  
 10           *property owners, and nonprofit organizations in the Herit-*  
 11           *age Area.*

12           (d) *PUBLIC MEETINGS.—The local coordinating entity*  
 13           *shall conduct public meetings at least annually regarding*  
 14           *the implementation of the management plan.*

15           (e) *ANNUAL REPORTS.—For any fiscal year in which*  
 16           *the local coordinating entity receives Federal funds under*  
 17           *this subtitle, the local coordinating entity shall submit to*  
 18           *the Secretary an annual report that describes—*

19                   (1) *the accomplishments of the local coordinating*  
 20                   *entity;*

21                   (2) *the expenses and income of the local coordi-*  
 22                   *nating entity; and*

23                   (3) *the entities to which the local coordinating*  
 24                   *entity made any grants during the year for which the*  
 25                   *report is made.*

1       (f) *COOPERATION WITH AUDITS.*—*For any fiscal year*  
 2 *in which the local coordinating entity receives Federal*  
 3 *funds under this subtitle, the local coordinating entity*  
 4 *shall—*

5           (1) *make available for audit by Congress, the*  
 6 *Secretary, and appropriate units of government all*  
 7 *records and other information relating to the expendi-*  
 8 *ture of the Federal funds and any matching funds;*  
 9 *and*

10          (2) *require, with respect to all agreements au-*  
 11 *thorizing expenditure of the Federal funds by other*  
 12 *organizations, that the receiving organizations make*  
 13 *available for audit all records and other information*  
 14 *relating to the expenditure of the Federal funds.*

15       (g) *DELEGATION.*—

16           (1) *IN GENERAL.*—*The local coordinating entity*  
 17 *may delegate the responsibilities and actions under*  
 18 *this subtitle for each area identified in section*  
 19 *254(b)(1).*

20           (2) *REVIEW.*—*All delegated responsibilities and*  
 21 *actions are subject to review and approval by the*  
 22 *local coordinating entity.*

23 **SEC. 257. DUTIES AND AUTHORITIES OF FEDERAL AGEN-**  
 24 **CIES.**

25       (a) *TECHNICAL ASSISTANCE AND GRANTS.*—

1           (1) *IN GENERAL.*—*The Secretary may provide*  
 2           *technical assistance and, subject to the availability of*  
 3           *appropriations, grants to—*

4                     (A) *units of government, nonprofit organi-*  
 5                     *zations, and other persons, at the request of the*  
 6                     *local coordinating entity; and*

7                     (B) *the local coordinating entity, for use in*  
 8                     *developing and implementing the management*  
 9                     *plan.*

10          (2) *PROHIBITION OF CERTAIN REQUIREMENTS.*—  
 11          *The Secretary may not, as a condition of the award*  
 12          *of technical assistance or grants under this subtitle,*  
 13          *require any recipient of the technical assistance or a*  
 14          *grant to enact or modify any land use restriction.*

15          (3) *DETERMINATIONS REGARDING ASSIST-*  
 16          *ANCE.*—*The Secretary shall determine whether a unit*  
 17          *of government, nonprofit organization, or other per-*  
 18          *son shall be awarded technical assistance or grants*  
 19          *and the amount of technical assistance—*

20                     (A) *based on the extent to which the assist-*  
 21                     *ance—*

22                             (i) *fulfills the objectives of the manage-*  
 23                             *ment plan; and*

24                             (ii) *achieves the purposes of this sub-*  
 25                             *title; and*

1                   (B) after giving special consideration to  
 2                   projects that provide a greater leverage of Fed-  
 3                   eral funds.

4           (b) *PROVISION OF INFORMATION.*—In cooperation with  
 5 other Federal agencies, the Secretary shall provide the pub-  
 6 lic with information concerning the location and character  
 7 of the Heritage Area.

8           (c) *OTHER ASSISTANCE.*—The Secretary may enter  
 9 into cooperative agreements with public and private organi-  
 10 zations for the purposes of implementing this subtitle.

11          (d) *DUTIES OF OTHER FEDERAL AGENCIES.*—A Fed-  
 12 eral entity conducting any activity directly affecting the  
 13 Heritage Area shall—

14               (1) consider the potential effect of the activity on  
 15 the management plan; and

16               (2) consult with the local coordinating entity  
 17 with respect to the activity to minimize the adverse  
 18 effects of the activity on the Heritage Area.

19 **SEC. 258A. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 20 **PROPERTY.**

21          (a) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 22 *ERS REQUIRED.*—No privately owned property shall be pre-  
 23 served, conserved, or promoted by the management plan for  
 24 the Heritage Area until the owner of that private property  
 25 has been notified in writing by the management entity and

1 *has given written consent for such preservation, conserva-*  
 2 *tion, or promotion to the management entity.*

3 (b) *LANDOWNER WITHDRAW.*—*Any owner of private*  
 4 *property included within the boundary of the Heritage Area*  
 5 *shall have their property immediately removed from the*  
 6 *boundary by submitting a written request to the manage-*  
 7 *ment entity.*

8 **SEC. 258B. PRIVATE PROPERTY PROTECTION.**

9 (a) *ACCESS TO PRIVATE PROPERTY.*—*Nothing in this*  
 10 *title shall be construed to—*

11 (1) *require any private property owner to allow*  
 12 *public access (including Federal, State, or local gov-*  
 13 *ernment access) to such private property; or*

14 (2) *modify any provision of Federal, State, or*  
 15 *local law with regard to public access to or use of pri-*  
 16 *ivate property.*

17 (b) *LIABILITY.*—*Designation of the Heritage Area*  
 18 *shall not be considered to create any liability, or to have*  
 19 *any effect on any liability under any other law, of any pri-*  
 20 *vate property owner with respect to any persons injured*  
 21 *on such private property.*

22 (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 23 *USE.*—*Nothing in this title shall be construed to modify*  
 24 *the authority of Federal, State, or local governments to reg-*  
 25 *ulate land use.*



1       (d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 2 *IN HERITAGE AREA.*—*Nothing in this title shall be con-*  
 3 *strued to require the owner of any private property located*  
 4 *within the boundaries of the Heritage Area to participate*  
 5 *in or be associated with the Heritage Area.*

6       (e) *EFFECT OF ESTABLISHMENT.*—*The boundaries*  
 7 *designated for the Heritage Area represent the area within*  
 8 *which Federal funds appropriated for the purpose of this*  
 9 *title may be expended. The establishment of the Heritage*  
 10 *Area and its boundaries shall not be construed to provide*  
 11 *any nonexisting regulatory authority on land use within*  
 12 *the Heritage Area or its viewshed by the Secretary, the Na-*  
 13 *tional Park Service, or the management entity.*

14 **SEC. 259. AUTHORIZATION OF APPROPRIATIONS.**

15       (a) *IN GENERAL.*—*There is authorized to be appro-*  
 16 *priated to carry out this subtitle \$10,000,000, to remain*  
 17 *available until expended, of which not more than*  
 18 *\$1,000,000 may be authorized to be appropriated for any*  
 19 *fiscal year.*

20       (b) *FEDERAL SHARE.*—*The Federal share of the cost*  
 21 *of any activity carried out using funds made available*  
 22 *under this subtitle shall not exceed 50 percent.*

1 **SEC. 260. TERMINATION OF AUTHORITY.**

2       *The authority of the Secretary to provide assistance*  
 3 *under this subtitle terminates on the date that is 15 years*  
 4 *after the date of enactment of this Act.*

5       ***Subtitle E—Freedom’s Frontier***  
 6       ***National Heritage Area***

7 **SEC. 261. SHORT TITLE.**

8       *This subtitle may be cited as the “Freedom’s Frontier*  
 9 *National Heritage Area Act”.*

10 **SEC. 262. PURPOSE.**

11       *The purpose of this subtitle is to use preservation, con-*  
 12 *servation, education, interpretation, and recreation in east-*  
 13 *ern Kansas and Western Missouri in heritage development*  
 14 *and sustainability of the American story recognized by the*  
 15 *American people.*

16 **SEC. 263. DEFINITIONS.**

17       *In this subtitle:*

18           (1) *HERITAGE AREA.—The term “Heritage*  
 19 *Area” means the Freedom’s Frontier National Herit-*  
 20 *age Area in eastern Kansas and western Missouri.*

21           (2) *LOCAL COORDINATING ENTITY.—The term*  
 22 *“local coordinating entity” means Territorial Kansas*  
 23 *Heritage Alliance, recognized by the Secretary, in*  
 24 *consultation with the Governors of the States, that*  
 25 *agrees to perform the duties of a local coordinating*  
 26 *entity under this subtitle, so long as that Alliance is*

1       *composed of not less than 25 percent residents of Mis-*  
 2       *souri.*

3           (3) *MANAGEMENT PLAN.*—*The term “manage-*  
 4       *ment plan” means the management plan for the Her-*  
 5       *itage Area developed under section 264(e).*

6           (4) *SECRETARY.*—*The term “Secretary” means*  
 7       *the Secretary of the Interior.*

8           (5) *STATE.*—*The term “State” means each of the*  
 9       *States of Kansas and Missouri.*

10          (6) *UNIT OF LOCAL GOVERNMENT.*—*The term*  
 11       *“unit of local government” means the government of*  
 12       *a State, a political subdivision of a State, or an In-*  
 13       *dian tribe.*

14   **SEC. 264. FREEDOM’S FRONTIER NATIONAL HERITAGE**  
 15       **AREA.**

16          (a) *ESTABLISHMENT.*—*There is established in the*  
 17       *States the Freedom’s Frontier National Heritage Area.*

18          (b) *BOUNDARIES.*—*The Heritage Area may include the*  
 19       *following:*

20           (1) *An area located in eastern Kansas and west-*  
 21       *ern Missouri, consisting of—*

22           (A) *Allen, Anderson, Atchison, Bourbon,*  
 23           *Chautauqua, Cherokee, Clay, Coffey, Crawford,*  
 24           *Douglas, Franklin, Geary, Jackson, Johnson,*  
 25           *Labette, Leavenworth, Linn, Miami, Neosho,*

1           *Pottawatomie, Riley, Shawnee, Wabaunsee, Wil-*  
 2           *son, Woodson, Jefferson, Montgomery, Osage, and*  
 3           *Wyandotte Counties in Kansas; and*

4           *(B) Buchanan, Platte, Clay, Ray, Lafay-*  
 5           *ette, Jackson, Cass, Johnson, Bates, Vernon, Bar-*  
 6           *ton, and St. Clair Counties in Missouri.*

7           *(2) Contributing sites, buildings, and districts*  
 8           *within the area that are recommended by the manage-*  
 9           *ment plan.*

10          *(c) MAP.—The final boundary of the Heritage Area*  
 11          *within the counties identified in subsection (b)(1) shall be*  
 12          *specified in the management plan. A map of the Heritage*  
 13          *Area shall be included in the management plan. The map*  
 14          *shall be on file in the appropriate offices of the National*  
 15          *Park Service, Department of the Interior.*

16          *(d) LOCAL COORDINATING ENTITY.—*

17            *(1) IN GENERAL.—The local coordinating entity*  
 18            *for the Heritage Area shall be Territorial Kansas*  
 19            *Heritage Alliance, a nonprofit organization estab-*  
 20            *lished in the State of Kansas, recognized by the Sec-*  
 21            *retary, in consultation with the Governors of the*  
 22            *States, so long as that Alliance is composed of not less*  
 23            *than 25 percent residents of Missouri and agrees to*  
 24            *perform the duties of the local coordinating entity*  
 25            *under this subtitle.*

1           (2) *AUTHORITIES.*—*For purposes of developing*  
 2           *and implementing the management plan, the local co-*  
 3           *ordinating entity may—*

4                   (A) *make grants to, and enter into coopera-*  
 5                   *tive agreements with, the States, political sub-*  
 6                   *divisions of the States, and private organiza-*  
 7                   *tions;*

8                   (B) *hire and compensate staff; and*

9                   (C) *enter into contracts for goods and serv-*  
 10                  *ices.*

11          (e) *MANAGEMENT PLAN.*—

12               (1) *IN GENERAL.*—*Not later than 3 years after*  
 13               *the date on which funds are made available to carry*  
 14               *out this subtitle, the local coordinating entity shall*  
 15               *develop and submit to the Secretary a management*  
 16               *plan reviewed by participating units of local govern-*  
 17               *ment within the boundaries of the proposed Heritage*  
 18               *Area.*

19               (2) *CONTENTS.*—*The management plan shall—*

20                   (A) *present a comprehensive program for*  
 21                   *the conservation, interpretation, funding, man-*  
 22                   *agement, and development of the Heritage Area,*  
 23                   *in a manner consistent with the existing local,*  
 24                   *State, and Federal land use laws and compatible*  
 25                   *economic viability of the Heritage Area;*

1           (B) establish criteria or standards to meas-  
2           ure what is selected for conservation, interpreta-  
3           tion, funding, management, and development;

4           (C) involve residents, public agencies, and  
5           private organizations working in the Heritage  
6           Area;

7           (D) specify and coordinate, as of the date of  
8           the management plan, existing and potential  
9           sources of technical and financial assistance  
10          under this and other Federal laws to protect,  
11          manage, and develop the Heritage Area; and

12          (E) include—

13               (i) actions to be undertaken by units of  
14               government and private organizations to  
15               protect, conserve, and interpret the resources  
16               of the Heritage Area;

17               (ii) an inventory of the resources con-  
18               tained in the Heritage Area, including a  
19               list of any property in the Heritage Area  
20               that is related to the themes of the Heritage  
21               Area and that meets the establishing cri-  
22               teria (such as, but not exclusive to, visitor  
23               readiness) to merit preservation, restora-  
24               tion, management, development, or mainte-

1 nance because of its natural, cultural, his-  
 2 torical, or recreational significance;

3 (iii) policies for resource management  
 4 including the development of intergovern-  
 5 mental cooperative agreements, private sec-  
 6 tor agreements, or any combination thereof,  
 7 to protect the historical, cultural, rec-  
 8 reational, and natural resources of the Her-  
 9 itage Area in a manner consistent with  
 10 supporting appropriate and compatible eco-  
 11 nomic viability;

12 (iv) a program for implementation of  
 13 the management plan by the designated  
 14 local coordinating entity, in cooperation  
 15 with its partners and units of local govern-  
 16 ment;

17 (v) evidence that relevant State, coun-  
 18 ty, and local plans applicable to the Herit-  
 19 age Area have been taken into consider-  
 20 ation;

21 (vi) an analysis of ways in which  
 22 local, State, and Federal programs may best  
 23 be coordinated to promote the purposes of  
 24 this subtitle; and

25 (vii) a business plan that—

1                   (I) describes in detail the role, op-  
 2                   eration, financing, and functions of the  
 3                   local coordinating entity for each ac-  
 4                   tivity included in the recommendations  
 5                   contained in the management plan;  
 6                   and

7                   (II) provides, to the satisfaction of  
 8                   the Secretary, adequate assurances that  
 9                   the local coordinating entity is likely  
 10                  to have the financial resources nec-  
 11                  essary to implement the management  
 12                  plan for the Heritage Area, including  
 13                  resources to meet matching require-  
 14                  ment for grants awarded under this  
 15                  subtitle.

16               (3) *CONSIDERATIONS.*—In developing and imple-  
 17               menting the management plan, the local coordinating  
 18               entity shall consider the interests of diverse govern-  
 19               mental, business, and nonprofit groups within the  
 20               Heritage Area.

21               (4) *DISQUALIFICATION FROM FUNDING.*—If a  
 22               proposed management plan is not submitted to the  
 23               Secretary within 3 years after the date on which  
 24               funds are made available to carry out this subtitle,  
 25               the local coordinating entity shall be ineligible to re-



1        *ceive additional funding under this subtitle until the*  
 2        *date on which the Secretary receives the proposed*  
 3        *management plan.*

4            (5) *APPROVAL AND DISAPPROVAL OF MANAGE-*  
 5        *MENT PLAN.—The Secretary shall approve or dis-*  
 6        *approve the proposed management plan submitted*  
 7        *under this subtitle not later than 90 days after receiv-*  
 8        *ing such proposed management plan.*

9            (6) *ACTION FOLLOWING DISAPPROVAL.—If the*  
 10        *Secretary disapproves a proposed management plan,*  
 11        *the Secretary shall advise the local coordinating enti-*  
 12        *ty in writing of the reasons for the disapproval and*  
 13        *shall make recommendations for revisions to the pro-*  
 14        *posed management plan. The Secretary shall approve*  
 15        *or disapprove a proposed revision within 90 days*  
 16        *after the date it is submitted.*

17            (7) *APPROVAL OF AMENDMENTS.—The Secretary*  
 18        *shall review and approve substantial amendments to*  
 19        *the management plan. Funds appropriated under this*  
 20        *subtitle may not be expended to implement any*  
 21        *changes made by such amendment until the Secretary*  
 22        *approves the amendment.*

23            (8) *IMPLEMENTATION.—*

24            (A) *PRIORITIES.—The local coordinating*  
 25        *entity shall give priority to implementing ac-*

1           *tions described in the management plan, includ-*  
 2           *ing—*

3                     *(i) assisting units of government and*  
 4                     *nonprofit organizations in preserving re-*  
 5                     *sources within the Heritage Area; and*

6                     *(ii) encouraging local governments to*  
 7                     *adopt land use policies consistent with the*  
 8                     *management of the Heritage Area and the*  
 9                     *goals of the management plan.*

10           *(B) PUBLIC MEETINGS.—The local coordi-*  
 11           *nating entity shall conduct public meetings at*  
 12           *least quarterly on the implementation of the*  
 13           *management plan. Not less than 25 percent of*  
 14           *the public meetings shall be conducted in Mis-*  
 15           *souri.*

16           *(f) PUBLIC NOTICE.—The local coordinating entity*  
 17           *shall place a notice of each of its public meetings in a news-*  
 18           *paper of general circulation in the Heritage Area and shall*  
 19           *make the minutes of the meeting available to the public.*

20           *(g) ANNUAL REPORT.—For any year in which Federal*  
 21           *funds have been made available under this subtitle, the local*  
 22           *coordinating entity shall submit to the Secretary an annual*  
 23           *report that describes—*

24                     *(1) the accomplishments of the local coordinating*  
 25                     *entity; and*

1           (2) *the expenses and income of the local coordi-*  
 2           *nating entity.*

3           (h) *AUDIT.—The local coordinating entity shall—*

4                 (1) *make available to the Secretary for audit all*  
 5                 *records relating to the expenditure of Federal funds*  
 6                 *and any matching funds; and*

7                 (2) *require, with respect to all agreements au-*  
 8                 *thorizing expenditure of Federal funds by other orga-*  
 9                 *nizations, that the receiving organizations make*  
 10                 *available to the Secretary for audit all records con-*  
 11                 *cerning the expenditure of the Federal funds and any*  
 12                 *matching funds.*

13           (i) *USE OF FEDERAL FUNDS.—*

14                 (1) *IN GENERAL.—No Federal funds made avail-*  
 15                 *able under this subtitle may be used to acquire real*  
 16                 *property or an interest in real property.*

17                 (2) *OTHER SOURCES.—Nothing in this subtitle*  
 18                 *precludes the local coordinating entity from using*  
 19                 *Federal funds made available under other Federal*  
 20                 *laws for any purpose for which the funds are author-*  
 21                 *ized to be used.*

22   **SEC. 265. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER**  
 23                 **FEDERAL AGENCIES.**

24           (a) *TECHNICAL AND FINANCIAL ASSISTANCE.—*

1           (1) *IN GENERAL.*—*On the request of the local co-*  
 2           *ordinating entity, the Secretary may provide tech-*  
 3           *nical and financial assistance for the development*  
 4           *and implementation of the management plan.*

5           (2) *PRIORITY FOR ASSISTANCE.*—*In providing*  
 6           *assistance under paragraph (1), the Secretary shall*  
 7           *give priority to actions that assist in—*

8                     (A) *conserving the significant cultural, his-*  
 9                     *toric, and natural resources of the Heritage*  
 10                    *Area; and*

11                   (B) *providing educational, interpretive, and*  
 12                    *recreational opportunities consistent with the*  
 13                    *purposes of the Heritage Area.*

14           (3) *SPENDING FOR NON-FEDERAL PROPERTY.*—  
 15           *The local coordinating entity may expend Federal*  
 16           *funds made available under this subtitle on non-Fed-*  
 17           *eral property that—*

18                   (A) *meets the criteria in the approved man-*  
 19                    *agement plan; or*

20                   (B) *is listed or eligible for listing on the*  
 21                    *National Register of Historic Places.*

22           (4) *OTHER ASSISTANCE.*—*The Secretary may*  
 23           *enter into cooperative agreements with public and*  
 24           *private organizations to carry out this subsection.*

1       (b) *OTHER FEDERAL AGENCIES.*—Any Federal entity  
 2     conducting or supporting an activity that directly affects  
 3     the Heritage Area shall—

4             (1) consider the potential effect of the activity on  
 5     the purposes of the Heritage Area and the manage-  
 6     ment plan;

7             (2) consult with the local coordinating entity re-  
 8     garding the activity; and

9             (3) to the maximum extent practicable, conduct  
 10    or support the activity to avoid adverse effects on the  
 11    Heritage Area.

12    (c) *OTHER ASSISTANCE NOT AFFECTED.*—This sub-  
 13    title does not affect the authority of any Federal official  
 14    to provide technical or financial assistance under any other  
 15    law.

16    (d) *NOTIFICATION OF OTHER FEDERAL ACTIVITIES.*—  
 17    The head of each Federal agency shall provide to the Sec-  
 18    retary and the local coordinating entity, to the extent prac-  
 19    ticable, advance notice of all activities that may have an  
 20    impact on the Heritage Area.

21    **SEC. 266. PRIVATE PROPERTY PROTECTION.**

22    (a) *ACCESS TO PRIVATE PROPERTY.*—Nothing in this  
 23    subtitle shall be construed to require any private property  
 24    owner to permit public access (including Federal, State, or  
 25    local government access) to such private property. Nothing

1 *in this subtitle shall be construed to modify any provision*  
 2 *of Federal, State, or local law with regard to public access*  
 3 *to or use of private lands.*

4 (b) *LIABILITY.—Designation of the Heritage Area*  
 5 *shall not be considered to create any liability, or to have*  
 6 *any effect on any liability under any other law, of any pri-*  
 7 *vate property owner with respect to any persons injured*  
 8 *on such private property.*

9 (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 10 *USE.—Nothing in this subtitle shall be construed to modify*  
 11 *any authority of Federal, State, or local governments to reg-*  
 12 *ulate land use.*

13 (d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 14 *IN HERITAGE AREAS.—Nothing in this subtitle shall be*  
 15 *construed to require the owner of any private property lo-*  
 16 *cated within the boundaries of the Heritage Area to partici-*  
 17 *pate in or be associated with the Heritage Area.*

18 (e) *LAND USE REGULATION.—*

19 (1) *IN GENERAL.—The local coordinating entity*  
 20 *shall provide assistance and encouragement to State*  
 21 *and local governments, private organizations, and*  
 22 *persons to protect and promote the resources and val-*  
 23 *ues of the Heritage Area.*

24 (2) *EFFECT.—Nothing in this subtitle—*

1                   (A) affects the authority of the State or local  
2                   governments to regulate under law any use of  
3                   land; or

4                   (B) grants any power of zoning or land use  
5                   to the local coordinating entity.

6           (f) *PRIVATE PROPERTY.*—

7                   (1) *IN GENERAL.*—The local coordinating entity  
8                   shall be an advocate for land management practices  
9                   consistent with the purposes of the Heritage Area.

10                  (2) *EFFECT.*—Nothing in this subtitle—

11                         (A) abridges the rights of any person with  
12                         regard to private property;

13                         (B) affects the authority of the State or  
14                         local government regarding private property; or

15                         (C) imposes any additional burden on any  
16                         property owner.

17           (g) *REQUIREMENTS FOR INCLUSION OF PRIVATE*  
18 *PROPERTY.*—

19                   (1) *NOTIFICATION AND CONSENT OF PROPERTY*  
20 *OWNERS REQUIRED.*—No privately owned property  
21 shall be preserved, conserved, or promoted by the  
22 management plan for the Heritage Area until the  
23 owner of that private property has been notified in  
24 writing by the management entity and has given

1        *written consent for such preservation, conservation, or*  
 2        *promotion to the management entity.*

3            (2) *LANDOWNER WITHDRAWAL.—Any owner of*  
 4        *private property included within the boundary of the*  
 5        *Heritage Area shall have their property immediately*  
 6        *removed from the boundary by submitting a written*  
 7        *request to the management entity*

8        **SEC. 267. SAVINGS PROVISIONS.**

9            (a) *RULES, REGULATIONS, STANDARDS, AND PERMIT*  
 10        *PROCESSES.—Nothing in this subtitle shall be construed to*  
 11        *impose any environmental, occupational, safety, or other*  
 12        *rule, regulation, standard, or permit process in the Herit-*  
 13        *age Area that is different from those that would be applica-*  
 14        *ble if the Heritage Area had not been established.*

15          (b) *WATER AND WATER RIGHTS.—Nothing in this*  
 16        *subtitle shall be construed to authorize or imply the reserva-*  
 17        *tion or appropriation of water or water rights.*

18          (c) *NO DIMINISHMENT OF STATE AUTHORITY.—Noth-*  
 19        *ing in this subtitle shall be construed to diminish the au-*  
 20        *thority of the State to manage fish and wildlife, including*  
 21        *the regulation of fishing and hunting within the Heritage*  
 22        *Area.*

23        **SEC. 268. AUTHORIZATION OF APPROPRIATIONS.**

24          (a) *IN GENERAL.—There is authorized to be appro-*  
 25        *priated to carry out this subtitle \$10,000,000, to remain*



1 *available until expended, of which not more than*  
 2 *\$1,000,000 may be authorized to be appropriated for any*  
 3 *fiscal year.*

4 (b) *COST-SHARING REQUIREMENT.—The Federal*  
 5 *share of the total cost of any activity assisted under this*  
 6 *subtitle shall be not more than 50 percent.*

7 **SEC. 269. TERMINATION OF AUTHORITY.**

8 *The authority of the Secretary to provide assistance*  
 9 *under this subtitle terminates on the date that is 15 years*  
 10 *after the date of enactment of this Act.*

11 ***Subtitle F—Upper Housatonic***  
 12 ***Valley National Heritage Area***

13 **SEC. 271. SHORT TITLE.**

14 *This subtitle may be cited as the “Upper Housatonic*  
 15 *Valley National Heritage Area Act”.*

16 **SEC. 272. FINDINGS AND PURPOSES.**

17 (a) *FINDINGS.—Congress finds the following:*

18 (1) *The upper Housatonic Valley, encompassing*  
 19 *29 towns in the hilly terrain of western Massachusetts*  
 20 *and northwestern Connecticut, is a singular geo-*  
 21 *graphical and cultural region that has made signifi-*  
 22 *cant national contributions through its literary, artis-*  
 23 *tic, musical, and architectural achievements, its iron,*  
 24 *paper, and electrical equipment industries, and its*

1       *scenic beautification and environmental conservation*  
 2       *efforts.*

3               (2) *The upper Housatonic Valley has 139 prop-*  
 4       *erties and historic districts listed on the National*  
 5       *Register of Historic Places, including—*

6                       (A) *five National Historic Landmarks—*

7                               (i) *Edith Wharton's home, The Mount,*  
 8                               *Lenox, Massachusetts;*

9                               (ii) *Herman Melville's home, Arrow-*  
 10                              *head, Pittsfield, Massachusetts;*

11                              (iii) *W.E.B. DuBois' Boyhood Home-*  
 12                              *site, Great Barrington, Massachusetts;*

13                              (iv) *Mission House, Stockbridge, Mas-*  
 14                              *sachusetts; and*

15                              (v) *Crane and Company Old Stone*  
 16                              *Mill Rag Room, Dalton, Massachusetts; and*

17                       (B) *four National Natural Landmarks—*

18                              (i) *Bartholomew's Cobble, Sheffield,*  
 19                              *Massachusetts, and Salisbury, Connecticut;*

20                              (ii) *Beckley Bog, Norfolk, Connecticut;*

21                              (iii) *Bingham Bog, Salisbury, Con-*  
 22                              *necticut; and*

23                              (iv) *Cathedral Pines, Cornwall, Con-*  
 24                              *necticut.*

1           (3) *Writers, artists, musicians, and vacationers*  
 2           *have visited the region for more than 150 years to*  
 3           *enjoy its scenic wonders, making it one of the coun-*  
 4           *try's leading cultural resorts.*

5           (4) *The upper Housatonic Valley has made sig-*  
 6           *nificant national cultural contributions through such*  
 7           *writers as Herman Melville, Nathaniel Hawthorne,*  
 8           *Edith Wharton, and W.E.B. DuBois, artists Daniel*  
 9           *Chester French and Norman Rockwell, and the per-*  
 10          *forming arts centers of Tanglewood, Music Mountain,*  
 11          *Norfolk (Connecticut) Chamber Music Festival, Ja-*  
 12          *cob's Pillow, and Shakespeare & Company.*

13          (5) *The upper Housatonic Valley is noted for its*  
 14          *pioneering achievements in the iron, paper, and elec-*  
 15          *trical generation industries and has cultural resources*  
 16          *to interpret those industries.*

17          (6) *The region became a national leader in sce-*  
 18          *nic beautification and environmental conservation ef-*  
 19          *forts following the era of industrialization and defor-*  
 20          *estation and maintains a fabric of significant con-*  
 21          *servation areas including the meandering Housatonic*  
 22          *River.*

23          (7) *Important historical events related to the*  
 24          *American Revolution, Shays' Rebellion, and early*

1        *civil rights took place in the upper Housatonic Val-*  
 2        *ley.*

3            (8) *The region had an American Indian presence*  
 4        *going back 10,000 years and Mohicans had a forma-*  
 5        *tive role in contact with Europeans during the seven-*  
 6        *teenth and eighteenth centuries.*

7            (9) *The Upper Housatonic Valley National Her-*  
 8        *itage Area has been proposed in order to heighten ap-*  
 9        *preciation of the region, preserve its natural and his-*  
 10       *torical resources, and improve the quality of life and*  
 11       *economy of the area.*

12        (b) *PURPOSES.—The purposes of this subtitle are as*  
 13       *follows:*

14            (1) *To establish the Upper Housatonic Valley*  
 15        *National Heritage Area in the State of Connecticut*  
 16        *and the Commonwealth of Massachusetts.*

17            (2) *To implement the national heritage area al-*  
 18        *ternative as described in the document entitled*  
 19        *“Upper Housatonic Valley National Heritage Area*  
 20        *Feasibility Study, 2003”.*

21            (3) *To provide a management framework to fos-*  
 22        *ter a close working relationship with all levels of gov-*  
 23        *ernment, the private sector, and the local communities*  
 24        *in the upper Housatonic Valley region to conserve the*

1        *region's heritage while continuing to pursue compat-*  
 2        *ible economic opportunities.*

3            (4) *To assist communities, organizations, and*  
 4        *citizens in the State of Connecticut and the Common-*  
 5        *wealth of Massachusetts in identifying, preserving, in-*  
 6        *terpreting, and developing the historical, cultural, sce-*  
 7        *nic, and natural resources of the region for the edu-*  
 8        *cational and inspirational benefit of current and fu-*  
 9        *ture generations.*

10    **SEC. 273. DEFINITIONS.**

11        *In this subtitle:*

12            (1) *HERITAGE AREA.*—*The term “Heritage*  
 13        *Area” means the Upper Housatonic Valley National*  
 14        *Heritage Area, established in section 274.*

15            (2) *MANAGEMENT ENTITY.*—*The term “Manage-*  
 16        *ment Entity” means the management entity for the*  
 17        *Heritage Area designated by section 274(d).*

18            (3) *MANAGEMENT PLAN.*—*The term “Manage-*  
 19        *ment Plan” means the management plan for the Her-*  
 20        *itage Area specified in section 276.*

21            (4) *MAP.*—*The term “map” means the map enti-*  
 22        *tled “Boundary Map Upper Housatonic Valley Na-*  
 23        *tional Heritage Area”, numbered P17/80,000, and*  
 24        *dated February 2003.*

1           (5) *SECRETARY.*—*The term “Secretary” means*  
2           *the Secretary of the Interior.*

3           (6) *STATE.*—*The term “State” means the State*  
4           *of Connecticut and the Commonwealth of Massachu-*  
5           *setts.*

6 **SEC. 274. UPPER HOUSATONIC VALLEY NATIONAL HERIT-**  
7           **AGE AREA.**

8           (a) *ESTABLISHMENT.*—*There is established the Upper*  
9           *Housatonic Valley National Heritage Area.*

10          (b) *BOUNDARIES.*—*The Heritage Area shall be com-*  
11          *prised of—*

12               (1) *part of the Housatonic River’s watershed,*  
13               *which extends 60 miles from Lanesboro, Massachusetts*  
14               *to Kent, Connecticut;*

15               (2) *the towns of Canaan, Colebrook, Cornwall,*  
16               *Kent, Norfolk, North Canaan, Salisbury, Sharon, and*  
17               *Warren in Connecticut; and*

18               (3) *the towns of Alford, Becket, Dalton,*  
19               *Egremont, Great Barrington, Hancock, Hinsdale,*  
20               *Lanesboro, Lee, Lenox, Monterey, Mount Washington,*  
21               *New Marlboro, Pittsfield, Richmond, Sheffield, Stock-*  
22               *bridge, Tyringham, Washington, and West Stock-*  
23               *bridge in Massachusetts.*

24           (c) *AVAILABILITY OF MAP.*—*The map shall be on file*  
25          *and available for public inspection in the appropriate of-*

1 *lices of the National Park Service, Department of the Inte-*  
 2 *rior.*

3 *(d) MANAGEMENT ENTITY.—The Upper Housatonic*  
 4 *Valley National Heritage Area, Inc. shall be the manage-*  
 5 *ment entity for the Heritage Area.*

6 **SEC. 275. AUTHORITIES, PROHIBITIONS, AND DUTIES OF**  
 7 **THE MANAGEMENT ENTITY.**

8 *(a) DUTIES OF THE MANAGEMENT ENTITY.—To fur-*  
 9 *ther the purposes of the Heritage Area, the management en-*  
 10 *tity shall—*

11 *(1) prepare and submit a management plan for*  
 12 *the Heritage Area to the Secretary in accordance with*  
 13 *section 276;*

14 *(2) assist units of local government, regional*  
 15 *planning organizations, and nonprofit organizations*  
 16 *in implementing the approved management plan*  
 17 *by—*

18 *(A) carrying out programs and projects*  
 19 *that recognize, protect and enhance important*  
 20 *resource values within the Heritage Area;*

21 *(B) establishing and maintaining interpre-*  
 22 *tive exhibits and programs within the Heritage*  
 23 *Area;*

24 *(C) developing recreational and educational*  
 25 *opportunities in the Heritage Area;*

1           (D) increasing public awareness of and ap-  
2           preciation for natural, historical, scenic, and  
3           cultural resources of the Heritage Area;

4           (E) protecting and restoring historic sites  
5           and buildings in the Heritage Area that are con-  
6           sistent with heritage area themes;

7           (F) ensuring that signs identifying points  
8           of public access and sites of interest are posted  
9           throughout the Heritage Area; and

10          (G) promoting a wide range of partnerships  
11          among governments, organizations and individ-  
12          uals to further the purposes of the Heritage Area;

13          (3) consider the interests of diverse units of gov-  
14          ernment, businesses, organizations and individuals in  
15          the Heritage Area in the preparation and implemen-  
16          tation of the management plan;

17          (4) conduct meetings open to the public at least  
18          semi-annually regarding the development and imple-  
19          mentation of the management plan;

20          (5) submit an annual report to the Secretary for  
21          any fiscal year in which the management entity re-  
22          ceives Federal funds under this subtitle, setting forth  
23          its accomplishments, expenses, and income, including  
24          grants to any other entities during the year for which  
25          the report is made;



1           (6) *make available for audit for any fiscal year*  
2           *in which it receives Federal funds under this subtitle,*  
3           *all information pertaining to the expenditure of such*  
4           *funds and any matching funds, and require in all*  
5           *agreements authorizing expenditures of Federal funds*  
6           *by other organizations, that the receiving organiza-*  
7           *tions make available for such audit all records and*  
8           *other information pertaining to the expenditure of*  
9           *such funds; and*

10           (7) *encourage by appropriate means economic*  
11           *development that is consistent with the purposes of*  
12           *the Heritage Area.*

13           (b) *AUTHORITIES.—The management entity may, for*  
14           *the purposes of preparing and implementing the manage-*  
15           *ment plan for the Heritage Area, use Federal funds made*  
16           *available through this subtitle to—*

17           (1) *make grants to the State of Connecticut and*  
18           *the Commonwealth of Massachusetts, their political*  
19           *subdivisions, nonprofit organizations and other per-*  
20           *sons;*

21           (2) *enter into cooperative agreements with or*  
22           *provide technical assistance to the State of Con-*  
23           *necticut and the Commonwealth of Massachusetts,*  
24           *their subdivisions, nonprofit organizations, and other*  
25           *interested parties;*

1           (3) hire and compensate staff, which shall in-  
 2           clude individuals with expertise in natural, cultural,  
 3           and historical resources protection, and heritage pro-  
 4           gramming;

5           (4) obtain money or services from any source in-  
 6           cluding any that are provided under any other Fed-  
 7           eral law or program;

8           (5) contract for goods or services; and

9           (6) undertake to be a catalyst for any other ac-  
 10          tivity that furthers the purposes of the Heritage Area  
 11          and is consistent with the approved management  
 12          plan.

13          (c) *PROHIBITIONS ON THE ACQUISITION OF REAL*  
 14          *PROPERTY.*—The management entity may not use Federal  
 15          funds received under this subtitle to acquire real property,  
 16          but may use any other source of funding, including other  
 17          Federal funding outside this authority, intended for the ac-  
 18          quisition of real property.

19          **SEC. 276. MANAGEMENT PLAN.**

20          (a) *IN GENERAL.*—The management plan for the Her-  
 21          itage Area shall—

22               (1) include comprehensive policies, strategies and  
 23               recommendations for conservation, funding, manage-  
 24               ment and development of the Heritage Area;

1           (2) *take into consideration existing State, coun-*  
 2           *ty, and local plans in the development of the manage-*  
 3           *ment plan and its implementation;*

4           (3) *include a description of actions that govern-*  
 5           *ments, private organizations, and individuals have*  
 6           *agreed to take to protect the natural, historical and*  
 7           *cultural resources of the Heritage Area;*

8           (4) *specify the existing and potential sources of*  
 9           *funding to protect, manage, and develop the Heritage*  
 10          *Area in the first 5 years of implementation;*

11          (5) *include an inventory of the natural, histor-*  
 12          *ical, cultural, educational, scenic, and recreational re-*  
 13          *sources of the Heritage Area related to the themes of*  
 14          *the Heritage Area that should be preserved, restored,*  
 15          *managed, developed, or maintained;*

16          (6) *describe a program of implementation for the*  
 17          *management plan including plans for resource protec-*  
 18          *tion, restoration, construction, and specific commit-*  
 19          *ments for implementation that have been made by the*  
 20          *management entity or any government, organization,*  
 21          *or individual for the first 5 years of implementation;*  
 22          *and*

23          (7) *include an interpretive plan for the Heritage*  
 24          *Area.*

25          (b) *DEADLINE AND TERMINATION OF FUNDING.—*

1           (1) *DEADLINE.*—*The management entity shall*  
 2           *submit the management plan to the Secretary for ap-*  
 3           *proval within 3 years after funds are made available*  
 4           *for this subtitle.*

5           (2) *TERMINATION OF FUNDING.*—*If the manage-*  
 6           *ment plan is not submitted to the Secretary in ac-*  
 7           *cordance with this subsection, the management entity*  
 8           *shall not qualify for Federal funding under this sub-*  
 9           *title until such time as the management plan is sub-*  
 10          *mitted to the Secretary.*

11 **SEC. 277. DUTIES AND AUTHORITIES OF THE SECRETARY.**

12          (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—*The*  
 13          *Secretary may, upon the request of the management entity,*  
 14          *provide technical assistance on a reimbursable or non-reim-*  
 15          *bursable basis and financial assistance to the Heritage Area*  
 16          *to develop and implement the approved management plan.*  
 17          *The Secretary is authorized to enter into cooperative agree-*  
 18          *ments with the management entity and other public or pri-*  
 19          *vate entities for this purpose. In assisting the Heritage*  
 20          *Area, the Secretary shall give priority to actions that in*  
 21          *general assist in—*

22               (1) *conserving the significant natural, historical,*  
 23               *cultural, and scenic resources of the Heritage Area;*  
 24               *and*

1           (2) *providing educational, interpretive, and rec-*  
 2           *reational opportunities consistent with the purposes of*  
 3           *the Heritage Area.*

4           (b) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*  
 5           *PLAN.—*

6           (1) *IN GENERAL.—The Secretary shall approve*  
 7           *or disapprove the management plan not later than 90*  
 8           *days after receiving the management plan.*

9           (2) *CRITERIA FOR APPROVAL.—In determining*  
 10          *the approval of the management plan, the Secretary*  
 11          *shall consider whether—*

12                 (A) *the management entity is representative*  
 13                 *of the diverse interests of the Heritage Area, in-*  
 14                 *cluding governments, natural and historic re-*  
 15                 *source protection organizations, educational in-*  
 16                 *stitutions, businesses, and recreational organiza-*  
 17                 *tions;*

18                 (B) *the management entity has afforded*  
 19                 *adequate opportunity, including public hearings,*  
 20                 *for public and governmental involvement in the*  
 21                 *preparation of the management plan;*

22                 (C) *the resource protection and interpreta-*  
 23                 *tion strategies contained in the management*  
 24                 *plan, if implemented, would adequately protect*

1        *the natural, historical, and cultural resources of*  
 2        *the Heritage Area; and*

3                *(D) the management plan is supported by*  
 4        *the appropriate State and local officials whose*  
 5        *cooperation is needed to ensure the effective im-*  
 6        *plementation of the State and local aspects of the*  
 7        *management plan.*

8                *(3) ACTION FOLLOWING DISAPPROVAL.—If the*  
 9        *Secretary disapproves the management plan, the Sec-*  
 10        *retary shall advise the management entity in writing*  
 11        *of the reasons therefore and shall make recommenda-*  
 12        *tions for revisions to the management plan. The Sec-*  
 13        *retary shall approve or disapprove a proposed revi-*  
 14        *sion within 60 days after the date it is submitted.*

15                *(4) APPROVAL OF AMENDMENTS.—Substantial*  
 16        *amendments to the management plan shall be re-*  
 17        *viewed by the Secretary and approved in the same*  
 18        *manner as provided for the original management*  
 19        *plan. The management entity shall not use Federal*  
 20        *funds authorized by this subtitle to implement any*  
 21        *amendments until the Secretary has approved the*  
 22        *amendments.*

23    **SEC. 278. DUTIES OF OTHER FEDERAL AGENCIES.**

24        *Any Federal agency conducting or supporting activi-*  
 25        *ties directly affecting the Heritage Area shall—*

1           (1) *consult with the Secretary and the manage-*  
 2           *ment entity with respect to such activities;*

3           (2) *cooperate with the Secretary and the man-*  
 4           *agement entity in carrying out their duties under this*  
 5           *subtitle and, to the maximum extent practicable, co-*  
 6           *ordinate such activities with the carrying out of such*  
 7           *duties; and*

8           (3) *to the maximum extent practicable, conduct*  
 9           *or support such activities in a manner which the*  
 10          *management entity determines will not have an ad-*  
 11          *verse effect on the Heritage Area.*

12   **SEC. 279. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 13           **PROPERTY.**

14          (a) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 15          *ERS REQUIRED.*—*No privately owned property shall be pre-*  
 16          *served, conserved, or promoted by the management plan for*  
 17          *the Heritage Area until the owner of that private property*  
 18          *has been notified in writing by the management entity and*  
 19          *has given written consent for such preservation, conserva-*  
 20          *tion, or promotion to the management entity.*

21          (b) *LANDOWNER WITHDRAW.*—*Any owner of private*  
 22          *property included within the boundary of the Heritage Area*  
 23          *shall have their property immediately removed from the*  
 24          *boundary by submitting a written request to the manage-*  
 25          *ment entity.*

1 **SEC. 280. PRIVATE PROPERTY PROTECTION.**

2 (a) *ACCESS TO PRIVATE PROPERTY.*—*Nothing in this*  
 3 *subtitle shall be construed to—*

4 (1) *require any private property owner to allow*  
 5 *public access (including Federal, State, or local gov-*  
 6 *ernment access) to such private property; or*

7 (2) *modify any provision of Federal, State, or*  
 8 *local law with regard to public access to or use of pri-*  
 9 *vate property.*

10 (b) *LIABILITY.*—*Designation of the Heritage Area*  
 11 *shall not be considered to create any liability, or to have*  
 12 *any effect on any liability under any other law, of any pri-*  
 13 *vate property owner with respect to any persons injured*  
 14 *on such private property.*

15 (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 16 *USE.*—*Nothing in this subtitle shall be construed to modify*  
 17 *the authority of Federal, State, or local governments to reg-*  
 18 *ulate land use.*

19 (d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 20 *IN HERITAGE AREA.*—*Nothing in this subtitle shall be con-*  
 21 *strued to require the owner of any private property located*  
 22 *within the boundaries of the Heritage Area to participate*  
 23 *in or be associated with the Heritage Area.*

24 (e) *EFFECT OF ESTABLISHMENT.*—*The boundaries*  
 25 *designated for the Heritage Area represent the area within*  
 26 *which Federal funds appropriated for the purpose of this*



1 *subtitle may be expended. The establishment of the Heritage*  
 2 *Area and its boundaries shall not be construed to provide*  
 3 *any nonexisting regulatory authority on land use within*  
 4 *the Heritage Area or its viewshed by the Secretary, the Na-*  
 5 *tional Park Service, or the management entity.*

6 **SEC. 280A. AUTHORIZATION OF APPROPRIATIONS.**

7       (a) *IN GENERAL.*—*There is authorized to be appro-*  
 8 *priated for the purposes of this subtitle not more than*  
 9 *\$1,000,000 for any fiscal year. Not more than a total of*  
 10 *\$10,000,000 may be appropriated for the Heritage Area*  
 11 *under this subtitle.*

12       (b) *MATCHING FUNDS.*—*Federal funding provided*  
 13 *under this subtitle may not exceed 50 percent of the total*  
 14 *cost of any assistance or grant provided or authorized under*  
 15 *this subtitle.*

16 **SEC. 280B. SUNSET.**

17       *The authority of the Secretary to provide assistance*  
 18 *under this subtitle shall terminate on the day occurring 15*  
 19 *years after the date of the enactment of this subtitle.*

20       ***Subtitle G—Champlain Valley***  
 21       ***National Heritage Partnership***

22 **SEC. 281. SHORT TITLE.**

23       *This subtitle may be cited as the “Champlain Valley*  
 24 *National Heritage Partnership Act of 2006”.*

1 **SEC. 282. FINDINGS AND PURPOSES.**

2 (a) *FINDINGS.*—Congress finds that—

3 (1) *the Champlain Valley and its extensive cul-*  
4 *tural and natural resources have played a significant*  
5 *role in the history of the United States and the indi-*  
6 *vidual States of Vermont and New York;*

7 (2) *archaeological evidence indicates that the*  
8 *Champlain Valley has been inhabited by humans*  
9 *since the last retreat of the glaciers, with the Native*  
10 *Americans living in the area at the time of European*  
11 *discovery being primarily of Iroquois and Algonquin*  
12 *descent;*

13 (3) *the linked waterways of the champlain val-*  
14 *ley, including the richelieu river in canada, played a*  
15 *unique and significant role in the establishment and*  
16 *development of the United States and canada through*  
17 *several distinct eras, including—*

18 (A) *the era of European exploration, during*  
19 *which Samuel de Champlain and other explorers*  
20 *used the waterways as a means of access through*  
21 *the wilderness;*

22 (B) *the era of military campaigns, includ-*  
23 *ing highly significant military campaigns of the*  
24 *French and Indian War, the American Revolu-*  
25 *tion, and the War of 1812; and*

1                   (C) the era of maritime commerce, during  
 2                   which canal boats, schooners, and steamships  
 3                   formed the backbone of commercial transpor-  
 4                   tation for the region;

5                   (4) those unique and significant eras are best de-  
 6                   scribed by the theme “The Making of Nations and  
 7                   Corridors of Commerce”;

8                   (5) the artifacts and structures associated with  
 9                   those eras are unusually well-preserved;

10                  (6) the Champlain Valley is recognized as having  
 11                  one of the richest collections of historical resources in  
 12                  North America;

13                  (7) the history and cultural heritage of the  
 14                  Champlain Valley are shared with Canada and the  
 15                  Province of Quebec;

16                  (8) there are benefits in celebrating and pro-  
 17                  moting this mutual heritage;

18                  (9) tourism is among the most important indus-  
 19                  tries in the Champlain Valley, and heritage tourism  
 20                  in particular plays a significant role in the economy  
 21                  of the Champlain Valley;

22                  (10) it is important to enhance heritage tourism  
 23                  in the Champlain Valley while ensuring that in-  
 24                  creased visitation will not impair the historical and  
 25                  cultural resources of the region;

1           (11) according to the 1999 report of the National  
 2       Park Service entitled “Champlain Valley Heritage  
 3       Corridor Project”, “the Champlain Valley contains  
 4       resources and represents a theme ‘The Making of Na-  
 5       tions and Corridors of Commerce’, that is of out-  
 6       standing importance in United States history”; and

7           (12) it is in the interest of the United States to  
 8       preserve and interpret the historical and cultural re-  
 9       sources of the Champlain Valley for the education and  
 10      benefit of present and future generations.

11      (b) *PURPOSES.*—The purposes of this subtitle are—

12           (1) to establish the Champlain Valley National  
 13      Heritage Partnership in the States of Vermont and  
 14      New York to recognize the importance of the histor-  
 15      ical, cultural, and recreational resources of the Cham-  
 16      plain Valley region to the United States;

17           (2) to assist the States of Vermont and New  
 18      York, including units of local government and non-  
 19      governmental organizations in the States, in pre-  
 20      serving, protecting, and interpreting those resources  
 21      for the benefit of the people of the United States;

22           (3) to use those resources and the theme “the  
 23      making of nations and corridors of commerce” to—

24           (A) revitalize the economy of communities  
 25      in the Champlain Valley; and

1                   (B) generate and sustain increased levels of  
2                   tourism in the Champlain Valley;

3                   (4) to encourage—

4                   (A) partnerships among State and local  
5                   governments and nongovernmental organizations  
6                   in the United States; and

7                   (B) collaboration with Canada and the  
8                   province of Quebec to—

9                   (i) interpret and promote the history of  
10                  the waterways of the Champlain Valley re-  
11                  gion;

12                  (ii) form stronger bonds between the  
13                  United States and Canada; and

14                  (iii) promote the international aspects  
15                  of the Champlain Valley region; and

16                  (5) to provide financial and technical assistance  
17                  for the purposes described in paragraphs (1) through  
18                  (4).

19 **SEC. 283. DEFINITIONS.**

20                  In this subtitle:

21                  (1) *HERITAGE PARTNERSHIP*.—The term “Herit-  
22                  age Partnership” means the Champlain Valley Na-  
23                  tional Heritage Partnership established by section  
24                  104(a).

1           (2) *MANAGEMENT ENTITY.*—*The term “manage-*  
 2           *ment entity” means the Lake Champlain Basin Pro-*  
 3           *gram.*

4           (3) *MANAGEMENT PLAN.*—*The term “manage-*  
 5           *ment plan” means the management plan developed*  
 6           *under section 284(b)(1)(B)(i).*

7           (4) *REGION.*—

8                   (A) *IN GENERAL.*—*The term “region”*  
 9                   *means any area or community in 1 of the States*  
 10                   *in which a physical, cultural, or historical re-*  
 11                   *source that represents the theme is located.*

12                   (B) *INCLUSIONS.*—*The term “region” in-*  
 13                   *cludes*

14                           (i) *THE LINKED NAVIGABLE WATER-*  
 15                           *WAYS OF.*—

16                                   (I) *Lake Champlain;*

17                                   (II) *Lake George;*

18                                   (III) *the Champlain Canal; and*

19                                   (IV) *the portion of the Upper*  
 20                                   *Hudson River extending south to Sara-*  
 21                                   *toga;*

22                                   (ii) *portions of Grand Isle, Franklin,*  
 23                                   *Chittenden, Addison, Rutland, and*  
 24                                   *Bennington Counties in the State of*  
 25                                   *Vermont; and*

1                   (iii) portions of Clinton, Essex, War-  
 2                   ren, Saratoga and Washington Counties in  
 3                   the State of New York.

4                   (5) *SECRETARY*.—The term “Secretary” means  
 5                   the Secretary of the Interior.

6                   (6) *STATE*.—the term “State” means

7                   (A) the State of Vermont; and

8                   (B) the State of New York.

9                   (7) *THEME*.—The term “theme” means the theme  
 10                  “The Making of Nations and Corridors of Commerce”,  
 11                  as the term is used in the 1999 report of the National  
 12                  Park Service entitled “Champlain Valley Heritage  
 13                  Corridor Project”, that describes the periods of inter-  
 14                  national conflict and maritime commerce during  
 15                  which the region played a unique and significant role  
 16                  in the development of the United States and Canada.

17 **SEC. 284. HERITAGE PARTNERSHIP.**

18                  (a) *ESTABLISHMENT*.—There is established in the re-  
 19                  gion the Champlain Valley National Heritage Partnership.

20                  (b) *MANAGEMENT ENTITY*.—

21                   (1) *DUTIES*.—

22                   (A) *IN GENERAL*.—The management entity  
 23                   shall implement this subtitle.

24                   (B) *MANAGEMENT PLAN*.—

1           (i) *IN GENERAL.*—Not later than 3  
 2           years after the date of enactment of this Act,  
 3           the management entity shall develop a man-  
 4           agement plan for the Heritage Partnership.

5           (ii) *EXISTING PLAN.*—Pending the  
 6           completion and approval of the manage-  
 7           ment plan, the management entity may im-  
 8           plement the provisions of this subtitle based  
 9           on its federally authorized plan “Opportu-  
 10          nities for Action, an Evolving Plan For  
 11          Lake Champlain”.

12          (iii) *CONTENTS.*—The management  
 13          plan shall include—

14               (I) recommendations for funding,  
 15               managing, and developing the Heritage  
 16               Partnership;

17               (II) a description of activities to  
 18               be carried out by public and private  
 19               organizations to protect the resources of  
 20               the Heritage Partnership;

21               (III) a list of specific, potential  
 22               sources of funding for the protection,  
 23               management, and development of the  
 24               Heritage Partnership;



1                   (IV) *an assessment of the organi-*  
 2                   *zational capacity of the management*  
 3                   *entity to achieve the goals for imple-*  
 4                   *mentation; and*

5                   (V) *recommendations of ways in*  
 6                   *which to encourage collaboration with*  
 7                   *Canada and the Province of Quebec in*  
 8                   *implementing this subtitle.*

9                   (iv) *CONSIDERATIONS.—In developing*  
 10                  *the management plan under clause (i), the*  
 11                  *management entity shall take into consider-*  
 12                  *ation existing Federal, State, and local*  
 13                  *plans relating to the region.*

14                  (v) *SUBMISSION TO SECRETARY FOR*  
 15                  *APPROVAL.—*

16                  (I) *IN GENERAL.—Not later than*  
 17                  *3 years after the date of enactment of*  
 18                  *this Act, the management entity shall*  
 19                  *submit the management plan to the*  
 20                  *Secretary for approval.*

21                  (II) *EFFECT OF FAILURE TO SUB-*  
 22                  *MIT.—If a management plan is not*  
 23                  *submitted to the Secretary by the date*  
 24                  *specified in subclause (I), the Secretary*  
 25                  *shall not provide any additional fund-*

1                    *ing under this subtitle until a manage-*  
 2                    *ment plan for the Heritage Partner-*  
 3                    *ship is submitted to the Secretary.*

4                    *(vi) APPROVAL.—Not later than 90*  
 5                    *days after receiving the management plan*  
 6                    *submitted under clause (v)(I), the Secretary,*  
 7                    *in consultation with the States, shall ap-*  
 8                    *prove or disapprove the management plan.*

9                    *(vii) ACTION FOLLOWING DIS-*  
 10                    *APPROVAL.—*

11                    *(I) GENERAL.—If the Secretary*  
 12                    *disapproves a management plan under*  
 13                    *clause (vi), the Secretary shall—*

14                    *(aa) advise the management*  
 15                    *entity in writing of the reasons*  
 16                    *for the disapproval;*

17                    *(bb) make recommendations*  
 18                    *for revisions to the management*  
 19                    *plan; and*

20                    *(cc) allow the management*  
 21                    *entity to submit to the Secretary*  
 22                    *revisions to the management plan.*

23                    *(II) DEADLINE FOR APPROVAL OF*  
 24                    *REVISION.—Not later than 90 days*  
 25                    *after the date on which a revision is*

1                   *submitted under subclause (I)(cc), the*  
 2                   *Secretary shall approve or disapprove*  
 3                   *the revision.*

4                   *(viii) AMENDMENT.—*

5                   *(I) IN GENERAL.—After approval*  
 6                   *by the Secretary of the management*  
 7                   *plan, the management entity shall pe-*  
 8                   *riodically—*

9                   *(aa) review the management*  
 10                  *plan; and*

11                  *(bb) submit to the Secretary,*  
 12                  *for review and approval by the*  
 13                  *Secretary, the recommendations of*  
 14                  *the management entity for any*  
 15                  *amendments to the management*  
 16                  *plan that the management entity*  
 17                  *considers to be appropriate.*

18                  *(II) EXPENDITURE OF FUNDS.—*

19                  *No funds made available under this*  
 20                  *subtitle shall be used to implement any*  
 21                  *amendment proposed by the manage-*  
 22                  *ment entity under subclause (I) until*  
 23                  *the Secretary approves the amend-*  
 24                  *ments.*

25                  *(2) PARTNERSHIPS.—*

(A) *IN GENERAL.*—*In carrying out this subtitle, the management entity may enter into partnerships with—*

(i) *the States, including units of local governments in the States;*

(ii) *nongovernmental organizations;*

(iii) *Indian Tribes; and*

(iv) *other persons in the Heritage Partnership.*

(B) *GRANTS.*—*Subject to the availability of funds, the management entity may provide grants to partners under subparagraph (A) to assist in implementing this subtitle.*

(3) *PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.*—*The management entity shall not use Federal funds made available under this subtitle to acquire real property or any interest in real property.*

(c) *ASSISTANCE FROM SECRETARY.*—*To carry out the purposes of this subtitle, the Secretary may provide technical and financial assistance to the management entity.*

**SEC. 285. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.**

(a) *NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.*—*No privately owned property shall be pre-*

1 served, conserved, or promoted by the management plan  
 2 until

3 (1) the management entity notifies the owner of  
 4 the private property in writing; and

5 (2) the owner of the private property provides to  
 6 the management entity written consent for the preser-  
 7 vation, conservation, or promotion.

8 (b) *LANDOWNER WITHDRAWAL*.—Private property in-  
 9 cluded within the boundary of the Heritage Partnership  
 10 shall immediately be withdrawn from the Heritage Partner-  
 11 ship if the owner of the property submits a written request  
 12 to the management entity.

13 **SEC. 286. PRIVATE PROPERTY PROTECTION.**

14 (a) *ACCESS TO PRIVATE PROPERTY*.—Nothing in this  
 15 subtitle—

16 (1) requires a private property owner to allow  
 17 public access (including access by the Federal Govern-  
 18 ment or State or local governments) to private prop-  
 19 erty; or

20 (2) modifies any provision of Federal, State, or  
 21 local law with respect to public access to, or use of,  
 22 private property.

23 (b) *LIABILITY*.—Designation of the Heritage Partner-  
 24 ship under this subtitle does not create any liability, or  
 25 have any effect on liability under any other law, of a pri-

1 *vate property owner with respect to any persons injured*  
 2 *on the private property.*

3 (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 4 *USE.*—*Nothing in this subtitle modifies any authority of*  
 5 *the Federal Government or State or local governments to*  
 6 *regulate land use.*

7 (d) *PARTICIPATION OF PRIVATE PROPERTY OWN-*  
 8 *ERS.*—*Nothing in this subtitle requires the owner of any*  
 9 *private property located within the boundaries of the Herit-*  
 10 *age Partnership to participate in, or be associated with the*  
 11 *Heritage Partnership.*

12 (e) *EFFECT OF ESTABLISHMENT.*—

13 (1) *IN GENERAL.*—*The boundaries designated for*  
 14 *the Heritage Partnership represent the area within*  
 15 *which Federal funds appropriated for the purpose of*  
 16 *this subtitle shall be expended.*

17 (2) *REGULATORY AUTHORITY.*—*The establish-*  
 18 *ment of the Heritage Partnership and the boundaries*  
 19 *of the Heritage Partnership do not provide any regu-*  
 20 *latory authority that is not in existence on the date*  
 21 *of enactment of this Act relating to land use within*  
 22 *the Heritage Partnership or the viewshed of the Herit-*  
 23 *age Partnership by the Secretary, the National Park*  
 24 *Service, or the management entity.*

1 **SEC. 287. EFFECT.**

2 *Nothing in this subtitle—*

3 *(1) grants powers of zoning or land use to the*  
 4 *management entity; or*

5 *(2) obstructs or limits private business develop-*  
 6 *ment activities or resource development activities.*

7 **SEC. 288. AUTHORIZATION OF APPROPRIATIONS.**

8 *(a) IN GENERAL.—There is authorized to be appro-*  
 9 *priated to carry out this subtitle not more than a total of*  
 10 *\$10,000,000, of which not more than \$1,000,000 may be*  
 11 *made available for any fiscal year.*

12 *(b) NON-FEDERAL SHARE.—The non-Federal share of*  
 13 *the cost of any activities carried out using Federal funds*  
 14 *made available under subsection (a) shall be not less than*  
 15 *50 percent.*

16 **SEC. 109. TERMINATION OF AUTHORITY.**

17 *The authority of the Secretary to provide assistance*  
 18 *under this subtitle terminates on the date that is 15 years*  
 19 *after the date of enactment of this Act.*

20 ***Subtitle H—Great Basin National***  
 21 ***Heritage Route***

22 **SEC. 291. SHORT TITLE.**

23 *This subtitle may be cited as the “Great Basin Na-*  
 24 *tional Heritage Route Act”.*

25 **SEC. 291A. FINDINGS AND PURPOSES.**

26 *(a) FINDINGS.—Congress finds that—*

1           (1) *the natural, cultural, and historic heritage of*  
 2           *the North American Great Basin is nationally sig-*  
 3           *nificant;*

4           (2) *communities along the Great Basin Heritage*  
 5           *Route (including the towns of Delta, Utah, Ely, Ne-*  
 6           *vada, and the surrounding communities) are located*  
 7           *in a classic western landscape that contains long nat-*  
 8           *ural vistas, isolated high desert valleys, mountain*  
 9           *ranges, ranches, mines, historic railroads, archae-*  
 10          *ological sites, and tribal communities;*

11          (3) *the Native American, pioneer, ranching,*  
 12          *mining, timber, and railroad heritages associated*  
 13          *with the Great Basin Heritage Route include the so-*  
 14          *cial history and living cultural traditions of a rich*  
 15          *diversity of nationalities;*

16          (4) *the pioneer, Mormon, and other religious set-*  
 17          *tlements, and ranching, timber, and mining activities*  
 18          *of the region played and continue to play a signifi-*  
 19          *cant role in the development of the United States,*  
 20          *shaped by—*

21                (A) *the unique geography of the Great*  
 22                *Basin;*

23                (B) *an influx of people of Greek, Chinese,*  
 24                *Basque, Serb, Croat, Italian, and Hispanic de-*  
 25                *scend; and*



1                   (C) a Native American presence (Western  
 2                   Shoshone, Northern and Southern Paiute, and  
 3                   Goshute) that continues in the Great Basin  
 4                   today;

5                   (5) the Great Basin housed internment camps  
 6                   for Japanese-American citizens during World War II,  
 7                   1 of which, Topaz, was located along the Heritage  
 8                   Route;

9                   (6) the pioneer heritage of the Heritage Route in-  
 10                  cludes the Pony Express route and stations, the Over-  
 11                  land Stage, and many examples of 19th century ex-  
 12                  ploration of the western United States;

13                  (7) the Native American heritage of the Heritage  
 14                  Route dates back thousands of years and includes—

15                       (A) archaeological sites;

16                       (B) petroglyphs and pictographs;

17                       (C) the westernmost village of the Fremont  
 18                  culture; and

19                       (D) communities of Western Shoshone, Pai-  
 20                  ute, and Goshute tribes;

21                  (8) the Heritage Route contains multiple bio-  
 22                  logically diverse ecological communities that are home  
 23                  to exceptional species such as—

24                       (A) bristlecone pines, the oldest living trees  
 25                  in the world;

1                   (B) wildlife adapted to harsh desert condi-  
2                   tions;

3                   (C) unique plant communities, lakes, and  
4                   streams; and

5                   (D) native Bonneville cutthroat trout;

6                   (9) the air and water quality of the Heritage  
7                   Route is among the best in the United States, and the  
8                   clear air permits outstanding viewing of the night  
9                   skies;

10                  (10) the Heritage Route includes unique and  
11                  outstanding geologic features such as numerous lime-  
12                  stone caves, classic basin and range topography with  
13                  playa lakes, alluvial fans, volcanics, cold and hot  
14                  springs, and recognizable features of ancient Lake  
15                  Bonneville;

16                  (11) the Heritage Route includes an unusual va-  
17                  riety of open space and recreational and educational  
18                  opportunities because of the great quantity of ranch-  
19                  ing activity and public land (including city, county,  
20                  and State parks, national forests, Bureau of Land  
21                  Management land, and a national park);

22                  (12) there are significant archaeological, histor-  
23                  ical, cultural, natural, scenic, and recreational re-  
24                  sources in the Great Basin to merit the involvement  
25                  of the Federal Government in the development, in co-

operation with the Great Basin Heritage Route Partnership and other local and governmental entities, of programs and projects to—

(A) adequately conserve, protect, and interpret the heritage of the Great Basin for present and future generations; and

(B) provide opportunities in the Great Basin for education; and

(13) the Great Basin Heritage Route Partnership shall serve as the local coordinating entity for a Heritage Route established in the Great Basin.

(b) *PURPOSES.*—The purposes of this subtitle are—

(1) to foster a close working relationship with all levels of government, the private sector, and the local communities within White Pine County, Nevada, Millard County, Utah, and the Duckwater Shoshone Reservation;

(2) to enable communities referred to in paragraph (1) to conserve their heritage while continuing to develop economic opportunities; and

(3) to conserve, interpret, and develop the archaeological, historical, cultural, natural, scenic, and recreational resources related to the unique ranching, industrial, and cultural heritage of the Great Basin, in a manner that promotes multiple uses permitted as

1       *of the date of enactment of this Act, without man-*  
 2       *aging or regulating land use.*

3   **SEC. 291B. DEFINITIONS.**

4       *In this subtitle:*

5           (1) *GREAT BASIN.*—*The term “Great Basin”*  
 6       *means the North American Great Basin.*

7           (2) *HERITAGE ROUTE.*—*The term “Heritage*  
 8       *Route” means the Great Basin National Heritage*  
 9       *Route established by section 291C(a).*

10          (3) *LOCAL COORDINATING ENTITY.*—*The term*  
 11       *“local coordinating entity” means the Great Basin*  
 12       *Heritage Route Partnership established by section*  
 13       *291C(c).*

14          (4) *MANAGEMENT PLAN.*—*The term “manage-*  
 15       *ment plan” means the plan developed by the local co-*  
 16       *ordinating entity under section 291E(a).*

17          (5) *SECRETARY.*—*The term “Secretary” means*  
 18       *the Secretary of the Interior, acting through the Di-*  
 19       *rector of the National Park Service.*

20   **SEC. 291C. GREAT BASIN NATIONAL HERITAGE ROUTE.**

21          (a) *ESTABLISHMENT.*—*There is established the Great*  
 22       *Basin National Heritage Route to provide the public with*  
 23       *access to certain historical, cultural, natural, scenic, and*  
 24       *recreational resources in White Pine County, Nevada, Mil-*  
 25       *lard County, Utah, and the Duckwater Shoshone Reserva-*

1 *tion in the State of Nevada, as designated by the local co-*  
 2 *ordinating entity.*

3 (b) *BOUNDARIES.—The local coordinating entity shall*  
 4 *determine the specific boundaries of the Heritage Route.*

5 (c) *LOCAL COORDINATING ENTITY.—*

6 (1) *IN GENERAL.—The Great Basin Heritage*  
 7 *Route Partnership shall serve as the local coordi-*  
 8 *nating entity for the Heritage Route.*

9 (2) *BOARD OF DIRECTORS.—The Great Basin*  
 10 *Heritage Route Partnership shall be governed by a*  
 11 *board of directors that consists of—*

12 (A) *4 members who are appointed by the*  
 13 *Board of County Commissioners for Millard*  
 14 *County, Utah;*

15 (B) *4 members who are appointed by the*  
 16 *Board of County Commissioners for White Pine*  
 17 *County, Nevada; and*

18 (C) *a representative appointed by each Na-*  
 19 *tive American Tribe participating in the Herit-*  
 20 *age Route.*

21 **SEC. 291D. MEMORANDUM OF UNDERSTANDING.**

22 (a) *IN GENERAL.—In carrying out this subtitle, the*  
 23 *Secretary, in consultation with the Governors of the States*  
 24 *of Nevada and Utah and the tribal government of each In-*  
 25 *dian tribe participating in the Heritage Route, shall enter*

1 *into a memorandum of understanding with the local coordi-*  
 2 *nating entity.*

3 (b) *INCLUSIONS.—The memorandum of understanding*  
 4 *shall include information relating to the objectives and*  
 5 *management of the Heritage Route, including—*

6 (1) *a description of the resources of the Heritage*  
 7 *Route;*

8 (2) *a discussion of the goals and objectives of the*  
 9 *Heritage Route, including—*

10 (A) *an explanation of the proposed ap-*  
 11 *proach to conservation, development, and inter-*  
 12 *pretation; and*

13 (B) *a general outline of the anticipated pro-*  
 14 *tection and development measures;*

15 (3) *a description of the local coordinating entity;*

16 (4) *a list and statement of the financial commit-*  
 17 *ment of the initial partners to be involved in devel-*  
 18 *oping and implementing the management plan; and*

19 (5) *a description of the role of the States of Ne-*  
 20 *vada and Utah in the management of the Heritage*  
 21 *Route.*

22 (c) *ADDITIONAL REQUIREMENTS.—In developing the*  
 23 *terms of the memorandum of understanding, the Secretary*  
 24 *and the local coordinating entity shall—*

1           (1) *provide opportunities for local participation;*  
 2       *and*

3           (2) *include terms that ensure, to the maximum*  
 4       *extent practicable, timely implementation of all as-*  
 5       *pects of the memorandum of understanding.*

6       (d) *AMENDMENTS.—*

7           (1) *IN GENERAL.—The Secretary shall review*  
 8       *any amendments of the memorandum of under-*  
 9       *standing proposed by the local coordinating entity or*  
 10      *the Governor of the State of Nevada or Utah.*

11          (2) *USE OF FUNDS.—Funds made available*  
 12      *under this subtitle shall not be expended to implement*  
 13      *a change made by a proposed amendment described*  
 14      *in paragraph (1) until the Secretary approves the*  
 15      *amendment.*

16   **SEC. 291E. MANAGEMENT PLAN.**

17          (a) *IN GENERAL.—Not later than 3 years after the*  
 18      *date on which funds are made available to carry out this*  
 19      *subtitle, the local coordinating entity shall develop and sub-*  
 20      *mit to the Secretary for approval a management plan for*  
 21      *the Heritage Route that—*

22           (1) *specifies—*

23               (A) *any resources designated by the local co-*  
 24              *ordinating entity under section 291C(a); and*

1                   (B) the specific boundaries of the Heritage  
2                   Route, as determined under section 291C(b); and

3                   (2) presents clear and comprehensive rec-  
4                   ommendations for the conservation, funding, manage-  
5                   ment, and development of the Heritage Route.

6                   (b) CONSIDERATIONS.—In developing the management  
7                   plan, the local coordinating entity shall—

8                   (1) provide for the participation of local resi-  
9                   dents, public agencies, and private organizations lo-  
10                  cated within the counties of Millard County, Utah,  
11                  White Pine County, Nevada, and the Duckwater Sho-  
12                  shone Reservation in the protection and development  
13                  of resources of the Heritage Route, taking into consid-  
14                  eration State, tribal, county, and local land use plans  
15                  in existence on the date of enactment of this Act;

16                  (2) identify sources of funding;

17                  (3) include—

18                   (A) a program for implementation of the  
19                   management plan by the local coordinating enti-  
20                   ty, including—

21                   (i) plans for restoration, stabilization,  
22                   rehabilitation, and construction of public or  
23                   tribal property; and

24                   (ii) specific commitments by the iden-  
25                   tified partners referred to in section



1                   291D(b)(4) for the first 5 years of oper-  
 2                   ation; and

3                   (B) an interpretation plan for the Heritage  
 4                   Route; and

5                   (4) develop a management plan that will not in-  
 6                   fringe on private property rights without the consent  
 7                   of the owner of the private property.

8                   (c) *FAILURE TO SUBMIT.*—If the local coordinating  
 9                   entity fails to submit a management plan to the Secretary  
 10                  in accordance with subsection (a), the Heritage Route shall  
 11                  no longer qualify for Federal funding.

12                  (d) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*  
 13                  *PLAN.*—

14                   (1) *IN GENERAL.*—Not later than 90 days after  
 15                   receipt of a management plan under subsection (a),  
 16                   the Secretary, in consultation with the Governors of  
 17                   the States of Nevada and Utah, shall approve or dis-  
 18                   approve the management plan.

19                   (2) *CRITERIA.*—In determining whether to ap-  
 20                   prove a management plan, the Secretary shall con-  
 21                   sider whether the management plan—

22                   (A) has strong local support from a diver-  
 23                   sity of landowners, business interests, nonprofit  
 24                   organizations, and governments associated with  
 25                   the Heritage Route;

1           (B) is consistent with and complements con-  
 2           tinued economic activity along the Heritage  
 3           Route;

4           (C) has a high potential for effective part-  
 5           nership mechanisms;

6           (D) avoids infringing on private property  
 7           rights; and

8           (E) provides methods to take appropriate  
 9           action to ensure that private property rights are  
 10          observed.

11          (3) ACTION FOLLOWING DISAPPROVAL.—If the  
 12          Secretary disapproves a management plan under  
 13          paragraph (1), the Secretary shall—

14           (A) advise the local coordinating entity in  
 15           writing of the reasons for the disapproval;

16           (B) make recommendations for revisions to  
 17           the management plan; and

18           (C) not later than 90 days after the receipt  
 19           of any proposed revision of the management  
 20           plan from the local coordinating entity, approve  
 21           or disapprove the proposed revision.

22          (e) IMPLEMENTATION.—On approval of the manage-  
 23          ment plan as provided in subsection (d)(1), the local coordi-  
 24          nating entity, in conjunction with the Secretary, shall take  
 25          appropriate steps to implement the management plan.

1 (f) *AMENDMENTS.*—

2 (1) *IN GENERAL.*—*The Secretary shall review*  
 3 *each amendment to the management plan that the*  
 4 *Secretary determines may make a substantial change*  
 5 *to the management plan.*

6 (2) *USE OF FUNDS.*—*Funds made available*  
 7 *under this subtitle shall not be expended to implement*  
 8 *an amendment described in paragraph (1) until the*  
 9 *Secretary approves the amendment.*

10 **SEC. 291F. AUTHORITY AND DUTIES OF LOCAL COORDI-**  
 11 **NATING ENTITY.**

12 (a) *AUTHORITIES.*—*The local coordinating entity*  
 13 *may, for purposes of preparing and implementing the man-*  
 14 *agement plan, use funds made available under this subtitle*  
 15 *to—*

16 (1) *make grants to, and enter into cooperative*  
 17 *agreements with, a State (including a political sub-*  
 18 *division), an Indian tribe, a private organization, or*  
 19 *any person; and*

20 (2) *hire and compensate staff.*

21 (b) *DUTIES.*—*In addition to developing the manage-*  
 22 *ment plan, the local coordinating entity shall—*

23 (1) *give priority to implementing the memo-*  
 24 *randum of understanding and the management plan,*  
 25 *including taking steps to—*

1           (A) assist units of government, regional  
 2           planning organizations, and nonprofit organiza-  
 3           tions in—

4                   (i) establishing and maintaining inter-  
 5                   pretive exhibits along the Heritage Route;

6                   (ii) developing recreational resources  
 7                   along the Heritage Route;

8                   (iii) increasing public awareness of  
 9                   and appreciation for the archaeological, his-  
 10                  torical, cultural, natural, scenic, and rec-  
 11                  reational resources and sites along the Her-  
 12                  itage Route; and

13                  (iv) if requested by the owner, restor-  
 14                  ing, stabilizing, or rehabilitating any pri-  
 15                  vate, public, or tribal historical building re-  
 16                  lating to the themes of the Heritage Route;

17           (B) encourage economic viability and diver-  
 18           sity along the Heritage Route in accordance with  
 19           the objectives of the management plan; and

20           (C) encourage the installation of clear, con-  
 21           sistent, and environmentally appropriate signage  
 22           identifying access points and sites of interest  
 23           along the Heritage Route;

1           (2) *consider the interests of diverse governmental,*  
2           *business, and nonprofit groups associated with the*  
3           *Heritage Route;*

4           (3) *conduct public meetings in the region of the*  
5           *Heritage Route at least semiannually regarding the*  
6           *implementation of the management plan;*

7           (4) *submit substantial amendments (including*  
8           *any increase of more than 20 percent in the cost esti-*  
9           *mates for implementation) to the management plan to*  
10          *the Secretary for approval by the Secretary; and*

11          (5) *for any year for which Federal funds are re-*  
12          *ceived under this subtitle—*

13                (A) *submit to the Secretary a report that*  
14                *describes, for the year—*

15                   (i) *the accomplishments of the local co-*  
16                   *ordinating entity;*

17                   (ii) *the expenses and income of the*  
18                   *local coordinating entity; and*

19                   (iii) *each entity to which any loan or*  
20                   *grant was made;*

21                (B) *make available for audit all records*  
22                *pertaining to the expenditure of the funds and*  
23                *any matching funds; and*

24                (C) *require, for all agreements authorizing*  
25                *the expenditure of Federal funds by any entity,*

1           *that the receiving entity make available for audit*  
 2           *all records pertaining to the expenditure of the*  
 3           *funds.*

4           (c) *PROHIBITION ON THE ACQUISITION OF REAL*  
 5 *PROPERTY.—The local coordinating entity shall not use*  
 6 *Federal funds made available under this subtitle to acquire*  
 7 *real property or any interest in real property.*

8           (d) *PROHIBITION ON THE REGULATION OF LAND*  
 9 *USE.—The local coordinating entity shall not regulate land*  
 10 *use within the Heritage Route.*

11 **SEC. 291G. DUTIES AND AUTHORITIES OF FEDERAL AGEN-**  
 12 **CIES.**

13           (a) *TECHNICAL AND FINANCIAL ASSISTANCE.—*

14               (1) *IN GENERAL.—The Secretary may, on re-*  
 15 *quest of the local coordinating entity, provide tech-*  
 16 *nical and financial assistance to develop and imple-*  
 17 *ment the management plan and memorandum of un-*  
 18 *derstanding.*

19               (2) *PRIORITY FOR ASSISTANCE.—In providing*  
 20 *assistance under paragraph (1), the Secretary shall,*  
 21 *on request of the local coordinating entity, give pri-*  
 22 *ority to actions that assist in—*

23                   (A) *conserving the significant archae-*  
 24 *ological, historical, cultural, natural, scenic, and*  
 25 *recreational resources of the Heritage Route; and*

1                   (B) providing education, interpretive, and  
 2                   recreational opportunities, and other uses con-  
 3                   sistent with those resources.

4           (b) *APPLICATION OF FEDERAL LAW.*—The establish-  
 5           ment of the Heritage Route shall have no effect on the appli-  
 6           cation of any Federal law to any property within the Herit-  
 7           age Route.

8   **SEC. 291H. LAND USE REGULATION; APPLICABILITY OF**  
 9                   **FEDERAL LAW.**

10          (a) *LAND USE REGULATION.*—Nothing in this sub-  
 11          title—

12               (1) modifies, enlarges, or diminishes any author-  
 13               ity of the Federal, State, tribal, or local government  
 14               to regulate by law (including by regulation) any use  
 15               of land; or

16               (2) grants any power of zoning or land use to  
 17               the local coordinating entity.

18          (b) *APPLICABILITY OF FEDERAL LAW.*—Nothing in  
 19          this subtitle—

20               (1) imposes on the Heritage Route, as a result  
 21               of the designation of the Heritage Route, any regula-  
 22               tion that is not applicable to the area within the Her-  
 23               itage Route as of the date of enactment of this Act;  
 24               or

1           (2) *authorizes any agency to promulgate a regu-*  
 2           *lation that applies to the Heritage Route solely as a*  
 3           *result of the designation of the Heritage Route under*  
 4           *this subtitle.*

5 **SEC. 291I. AUTHORIZATION OF APPROPRIATIONS.**

6           (a) *IN GENERAL.*—*There is authorized to be appro-*  
 7           *priated to carry out this subtitle \$10,000,000, of which not*  
 8           *more than \$1,000,000 may be made available for any fiscal*  
 9           *year.*

10          (b) *COST SHARING.*—

11           (1) *FEDERAL SHARE.*—*The Federal share of the*  
 12           *cost of any activity assisted under this subtitle shall*  
 13           *not exceed 50 percent.*

14           (2) *FORM OF NON-FEDERAL SHARE.*—*The non-*  
 15           *Federal share may be in the form of in-kind contribu-*  
 16           *tions, donations, grants, and loans from individuals*  
 17           *and State or local governments or agencies.*

18 **SEC. 291J. TERMINATION OF AUTHORITY.**

19           *The authority of the Secretary to provide assistance*  
 20           *under this subtitle terminates on the date that is 15 years*  
 21           *after the date of enactment of this Act.*

22 **SEC. 291K. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 23 **PROPERTY.**

24           (a) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 25           *ERS REQUIRED.*—*No privately owned property shall be pre-*



1 served, conserved, or promoted by the management plan for  
 2 the Heritage Route until the owner of that private property  
 3 has been notified in writing by the management entity and  
 4 has given written consent for such preservation, conserva-  
 5 tion, or promotion to the management entity.

6 (b) *LANDOWNER WITHDRAW.*—Any owner of private  
 7 property included within the boundary of the Heritage  
 8 Route shall have their property immediately removed from  
 9 the boundary by submitting a written request to the man-  
 10 agement entity.

11 **SEC. 291L. PRIVATE PROPERTY PROTECTION.**

12 (a) *ACCESS TO PRIVATE PROPERTY.*—Nothing in this  
 13 title shall be construed to—

14 (1) require any private property owner to allow  
 15 public access (including Federal, State, or local gov-  
 16 ernment access) to such private property; or

17 (2) modify any provision of Federal, State, or  
 18 local law with regard to public access to or use of pri-  
 19 vate property.

20 (b) *LIABILITY.*—Designation of the Heritage Route  
 21 shall not be considered to create any liability, or to have  
 22 any effect on any liability under any other law, of any pri-  
 23 vate property owner with respect to any persons injured  
 24 on such private property.

1       (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 2 *USE.*—*Nothing in this title shall be construed to modify*  
 3 *the authority of Federal, State, or local governments to reg-*  
 4 *ulate land use.*

5       (d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 6 *IN HERITAGE ROUTE.*—*Nothing in this title shall be con-*  
 7 *strued to require the owner of any private property located*  
 8 *within the boundaries of the Heritage Route to participate*  
 9 *in or be associated with the Heritage Route.*

10       (e) *EFFECT OF ESTABLISHMENT.*—*The boundaries*  
 11 *designated for the Heritage Route represent the area within*  
 12 *which Federal funds appropriated for the purpose of this*  
 13 *title may be expended. The establishment of the Heritage*  
 14 *Route and its boundaries shall not be construed to provide*  
 15 *any nonexisting regulatory authority on land use within*  
 16 *the Heritage Route or its viewshed by the Secretary, the*  
 17 *National Park Service, or the management entity.*

18                   ***Subtitle I—Gullah/Geechee***  
 19                   ***Heritage Corridor***

20       ***SEC. 295. SHORT TITLE.***

21       *This subtitle may be cited as the “Gullah/Geechee Cul-*  
 22 *tural Heritage Act”.*

23       ***SEC. 295A. PURPOSES.***

24       *The purposes of this subtitle are to—*

1           (1) *recognize the important contributions made*  
 2           *to American culture and history by African Ameri-*  
 3           *cans known as the Gullah/Geechee who settled in the*  
 4           *coastal counties of South Carolina, Georgia, North*  
 5           *Carolina, and Florida;*

6           (2) *assist State and local governments and pub-*  
 7           *lic and private entities in South Carolina, Georgia,*  
 8           *North Carolina, and Florida in interpreting the story*  
 9           *of the Gullah/Geechee and preserving Gullah/Geechee*  
 10          *folklore, arts, crafts, and music; and*

11          (3) *assist in identifying and preserving sites,*  
 12          *historical data, artifacts, and objects associated with*  
 13          *the Gullah/Geechee for the benefit and education of the*  
 14          *public.*

15 **SEC. 295B. DEFINITIONS.**

16       *In this subtitle:*

17           (1) *LOCAL COORDINATING ENTITY.*—*The term*  
 18           *“local coordinating entity” means the Gullah/Geechee*  
 19           *Cultural Heritage Corridor Commission established*  
 20           *by section 295D(a).*

21           (2) *HERITAGE CORRIDOR.*—*The term “Heritage*  
 22           *Corridor” means the Gullah/Geechee Cultural Herit-*  
 23           *age Corridor established by section 295C(a).*

24           (3) *SECRETARY.*—*The term “Secretary” means*  
 25           *the Secretary of the Interior.*

1 **SEC. 295C. GULLAH/GEECHEE CULTURAL HERITAGE COR-**  
 2 **RIDOR.**

3 (a) *ESTABLISHMENT.*—*There is established the Gullah/*  
 4 *Geechee Cultural Heritage Corridor.*

5 (b) *BOUNDARIES.*—

6 (1) *IN GENERAL.*—*The Heritage Corridor shall*  
 7 *be comprised of those lands and waters generally de-*  
 8 *picted on a map entitled “Gullah/Geechee Cultural*  
 9 *Heritage Corridor” numbered GGCHC 80,000 and*  
 10 *dated September 2004. The map shall be on file and*  
 11 *available for public inspection in the appropriate of-*  
 12 *fices of the National Park Service and in an appro-*  
 13 *priate State office in each of the States included in*  
 14 *the Heritage Corridor. The Secretary shall publish in*  
 15 *the Federal Register, as soon as practicable after the*  
 16 *date of enactment of this Act, a detailed description*  
 17 *and map of the boundaries established under this sub-*  
 18 *section.*

19 (2) *REVISIONS.*—*The boundaries of the Heritage*  
 20 *Corridor may be revised if the revision is—*

21 (A) *proposed in the management plan de-*  
 22 *veloped for the Heritage Corridor;*

23 (B) *approved by the Secretary in accord-*  
 24 *ance with this subtitle; and*

25 (C) *placed on file in accordance with para-*  
 26 *graph (1).*

1       (c) *ADMINISTRATION.*—*The Heritage Corridor shall be*  
 2   *administered in accordance with the provisions of this sub-*  
 3   *title.*

4   **SEC. 295D. GULLAH/GEECHEE CULTURAL HERITAGE COR-**  
 5               **RIDOR COMMISSION.**

6       (a) *ESTABLISHMENT.*—*There is hereby established a*  
 7   *local coordinating entity to be known as the “Gullah/*  
 8   *Geechee Cultural Heritage Corridor Commission” whose*  
 9   *purpose shall be to assist Federal, State, and local authori-*  
 10   *ties in the development and implementation of a manage-*  
 11   *ment plan for those land and waters specified in section*  
 12   *295C(b).*

13       (b) *MEMBERSHIP.*—*The local coordinating entity shall*  
 14   *be composed of 15 members appointed by the Secretary as*  
 15   *follows:*

16               (1) *Four individuals nominated by the State*  
 17       *Historic Preservation Officer of South Carolina and*  
 18       *two individuals each nominated by the State Historic*  
 19       *Preservation Officer of each of Georgia, North Caro-*  
 20       *lina, and Florida and appointed by the Secretary.*

21               (2) *Two individuals from South Carolina and*  
 22       *one individual from each of Georgia, North Carolina,*  
 23       *and Florida who are recognized experts in historic*  
 24       *preservation, anthropology, and folklore, appointed by*  
 25       *the Secretary.*

1       (c) *TERMS.*—*Members of the local coordinating entity*  
 2 *shall be appointed to terms not to exceed 3 years. The Sec-*  
 3 *retary may stagger the terms of the initial appointments*  
 4 *to the local coordinating entity in order to assure con-*  
 5 *tinuity of operation. Any member of the local coordinating*  
 6 *entity may serve after the expiration of their term until*  
 7 *a successor is appointed. A vacancy shall be filled in the*  
 8 *same manner in which the original appointment was made.*

9       (d) *TERMINATION.*—*The local coordinating entity*  
 10 *shall terminate 10 years after the date of enactment of this*  
 11 *Act.*

12 **SEC. 295E. OPERATION OF THE LOCAL COORDINATING EN-**  
 13 **TITY.**

14       (a) *DUTIES OF THE LOCAL COORDINATING ENTITY.*—  
 15 *To further the purposes of the Heritage Corridor, the local*  
 16 *coordinating entity shall—*

17               (1) *prepare and submit a management plan to*  
 18               *the Secretary in accordance with section 295F;*

19               (2) *assist units of local government and other*  
 20               *persons in implementing the approved management*  
 21               *plan by—*

22                       (A) *carrying out programs and projects*  
 23                       *that recognize, protect, and enhance important*  
 24                       *resource values within the Heritage Corridor;*

1           (B) establishing and maintaining interpre-  
2           tive exhibits and programs within the Heritage  
3           Corridor;

4           (C) developing recreational and educational  
5           opportunities in the Heritage Corridor;

6           (D) increasing public awareness of and ap-  
7           preciation for the historical, cultural, natural,  
8           and scenic resources of the Heritage Corridor;

9           (E) protecting and restoring historic sites  
10          and buildings in the Heritage Corridor that are  
11          consistent with Heritage Corridor themes;

12          (F) ensuring that clear, consistent, and ap-  
13          propriate signs identifying points of public ac-  
14          cess and sites of interest are posted throughout  
15          the Heritage Corridor; and

16          (G) promoting a wide range of partnerships  
17          among governments, organizations, and individ-  
18          uals to further the purposes of the Heritage Cor-  
19          ridor;

20          (3) consider the interests of diverse units of gov-  
21          ernment, business, organizations, and individuals in  
22          the Heritage Corridor in the preparation and imple-  
23          mentation of the management plan;

1           (4) *conduct meetings open to the public at least*  
 2           *quarterly regarding the development and implementa-*  
 3           *tion of the management plan;*

4           (5) *submit an annual report to the Secretary for*  
 5           *any fiscal year in which the local coordinating entity*  
 6           *receives Federal funds under this subtitle, setting*  
 7           *forth its accomplishments, expenses, and income, in-*  
 8           *cluding grants made to any other entities during the*  
 9           *year for which the report is made;*

10          (6) *make available for audit for any fiscal year*  
 11          *in which it receives Federal funds under this subtitle,*  
 12          *all information pertaining to the expenditure of such*  
 13          *funds and any matching funds, and require all agree-*  
 14          *ments authorizing expenditures of Federal funds by*  
 15          *other organizations, that the receiving organization*  
 16          *make available for audit all records and other infor-*  
 17          *mation pertaining to the expenditure of such funds;*  
 18          *and*

19          (7) *encourage by appropriate means economic*  
 20          *viability that is consistent with the purposes of the*  
 21          *Heritage Corridor.*

22          (b) *AUTHORITIES.*—*The local coordinating entity*  
 23          *may, for the purposes of preparing and implementing the*  
 24          *management plan, use funds made available under this sub-*  
 25          *title to—*



1           (1) *make grants to, and enter into cooperative*  
 2           *agreements with, the States of South Carolina, North*  
 3           *Carolina, Florida, and Georgia, political subdivisions*  
 4           *of those States, a nonprofit organization, or any per-*  
 5           *son;*

6           (2) *hire and compensate staff;*

7           (3) *obtain funds from any source including any*  
 8           *that are provided under any other Federal law or*  
 9           *program; and*

10          (4) *contract for goods and services.*

11 **SEC. 295F. MANAGEMENT PLAN.**

12          (a) *IN GENERAL.*—*The management plan for the Her-*  
 13          *itage Corridor shall—*

14               (1) *include comprehensive policies, strategies,*  
 15               *and recommendations for conservation, funding, man-*  
 16               *agement, and development of the Heritage Corridor;*

17               (2) *take into consideration existing State, coun-*  
 18               *ty, and local plans in the development of the manage-*  
 19               *ment plan and its implementation;*

20               (3) *include a description of actions that govern-*  
 21               *ments, private organizations, and individuals have*  
 22               *agreed to take to protect the historical, cultural, and*  
 23               *natural resources of the Heritage Corridor;*

1           (4) *specify the existing and potential sources of*  
2           *funding to protect, manage, and develop the Heritage*  
3           *Corridor in the first 5 years of implementation;*

4           (5) *include an inventory of the historical, cul-*  
5           *tural, natural, resources of the Heritage Corridor re-*  
6           *lated to the themes of the Heritage Corridor that*  
7           *should be preserved, restored, managed, developed, or*  
8           *maintained;*

9           (6) *recommend policies and strategies for re-*  
10          *source management that consider and detail the ap-*  
11          *plication of appropriate land and water management*  
12          *techniques, including the development of intergovern-*  
13          *mental and interagency cooperative agreements to*  
14          *protect the Heritage Corridor's historical, cultural,*  
15          *and natural resources;*

16          (7) *describe a program for implementation of the*  
17          *management plan including plans for resources pro-*  
18          *tection, restoration, construction, and specific com-*  
19          *mitments for implementation that have been made by*  
20          *the local coordinating entity or any government, or-*  
21          *ganization, or individual for the first 5 years of im-*  
22          *plementation;*

23          (8) *include an analysis and recommendations for*  
24          *the ways in which Federal, State, or local programs*

1        *may best be coordinated to further the purposes of this*  
 2        *subtitle; and*

3            *(9) include an interpretive plan for the Heritage*  
 4        *Corridor.*

5        *(b) SUBMITTAL OF MANAGEMENT PLAN.—The local co-*  
 6        *ordinating entity shall submit the management plan to the*  
 7        *Secretary for approval not later than 3 years after funds*  
 8        *are made available for this subtitle.*

9        *(c) FAILURE TO SUBMIT.—If the local coordinating*  
 10       *entity fails to submit the management plan to the Secretary*  
 11       *in accordance with subsection (b), the Heritage Corridor*  
 12       *shall not qualify for Federal funding until the management*  
 13       *plan is submitted.*

14       *(d) APPROVAL OR DISAPPROVAL OF MANAGEMENT*  
 15       *PLAN.—*

16            *(1) IN GENERAL.—The Secretary shall approve*  
 17        *or disapprove the management plan not later than 90*  
 18        *days after receiving the management plan.*

19            *(2) CRITERIA.—In determining whether to ap-*  
 20        *prove the management plan, the Secretary shall con-*  
 21        *sider whether—*

22            *(A) the local coordinating entity has af-*  
 23        *forded adequate opportunity, including public*  
 24        *hearings, for public and governmental involve-*

1           *ment in the preparation of the management*  
 2           *plan;*

3           *(B) the resource preservation and interpre-*  
 4           *tation strategies contained in the management*  
 5           *plan would adequately protect the cultural and*  
 6           *historic resources of the Heritage Corridor; and*

7           *(C) the Secretary has received adequate as-*  
 8           *surances from appropriate State and local offi-*  
 9           *cials whose support is needed to ensure the effec-*  
 10          *tive implementation of the State and local as-*  
 11          *pects of the plan.*

12          *(3) ACTION FOLLOWING DISAPPROVAL.—If the*  
 13          *Secretary disapproves the management plan, the Sec-*  
 14          *retary shall advise the local coordinating entity in*  
 15          *writing of the reasons therefore and shall make rec-*  
 16          *ommendations for revisions to the management plan.*  
 17          *The Secretary shall approve or disapprove a proposed*  
 18          *revision not later than 60 days after the date it is*  
 19          *submitted.*

20          *(4) APPROVAL OF AMENDMENTS.—Substantial*  
 21          *amendments to the management plan shall be re-*  
 22          *viewed and approved by the Secretary in the same*  
 23          *manner as provided in the original management*  
 24          *plan. The local coordinating entity shall not use Fed-*  
 25          *eral funds authorized by this subtitle to implement*

1        *any amendments until the Secretary has approved the*  
 2        *amendments.*

3    **SEC. 295G. TECHNICAL AND FINANCIAL ASSISTANCE.**

4        (a) *IN GENERAL.*—*Upon a request of the local coordi-*  
 5        *nating entity, the Secretary may provide technical and fi-*  
 6        *nancial assistance for the development and implementation*  
 7        *of the management plan.*

8        (b) *PRIORITY FOR ASSISTANCE.*—*In providing assist-*  
 9        *ance under subsection (a), the Secretary shall give priority*  
 10       *to actions that assist in—*

11            (1) *conserving the significant cultural, historical,*  
 12            *and natural resources of the Heritage Corridor; and*

13            (2) *providing educational and interpretive op-*  
 14            *portunities consistent with the purposes of the Herit-*  
 15            *age Corridor.*

16        (c) *SPENDING FOR NON-FEDERAL PROPERTY.*—

17            (1) *IN GENERAL.*—*The local coordinating entity*  
 18            *may expend Federal funds made available under this*  
 19            *subtitle on nonfederally owned property that is—*

20                    (A) *identified in the management plan; or*

21                    (B) *listed or eligible for listing on the Na-*  
 22                    *tional Register for Historic Places.*

23            (2) *AGREEMENTS.*—*Any payment of Federal*  
 24            *funds made pursuant to this subtitle shall be subject*  
 25            *to an agreement that conversion, use, or disposal of*

1        *a project so assisted for purposes contrary to the pur-*  
 2        *poses of this subtitle, as determined by the Secretary,*  
 3        *shall result in a right of the United States to com-*  
 4        *ensation of all funds made available to that project*  
 5        *or the proportion of the increased value of the project*  
 6        *attributable to such funds as determined at the time*  
 7        *of such conversion, use, or disposal, whichever is*  
 8        *greater.*

9    **SEC. 295H. DUTIES OF OTHER FEDERAL AGENCIES.**

10        *Any Federal agency conducting or supporting activi-*  
 11        *ties directly affecting the Heritage Corridor shall—*

12                *(1) consult with the Secretary and the local co-*  
 13                *ordinating entity with respect to such activities;*

14                *(2) cooperate with the Secretary and the local co-*  
 15                *ordinating entity in carrying out their duties under*  
 16                *this subtitle and, to the maximum extent practicable,*  
 17                *coordinate such activities with the carrying out of*  
 18                *such duties; and*

19                *(3) to the maximum extent practicable, conduct*  
 20                *or support such activities in a manner in which the*  
 21                *local coordinating entity determines will not have an*  
 22                *adverse effect on the Heritage Corridor.*

23    **SEC. 295I. COASTAL HERITAGE CENTERS.**

24        *In furtherance of the purposes of this subtitle and*  
 25        *using the authorities made available under this subtitle, the*

1 *local coordinating entity shall establish one or more Coastal*  
 2 *Heritage Centers at appropriate locations within the Herit-*  
 3 *age Corridor in accordance with the preferred alternative*  
 4 *identified in the Record of Decision for the Low Country*  
 5 *Gullah Culture Special Resource Study and Environmental*  
 6 *Impact Study, December 2003, and additional appropriate*  
 7 *sites.*

8 **SEC. 295J. PRIVATE PROPERTY PROTECTION.**

9       (a) *ACCESS TO PRIVATE PROPERTY.*—*Nothing in this*  
 10 *subtitle shall be construed to require any private property*  
 11 *owner to permit public access (including Federal, State, or*  
 12 *local government access) to such private property. Nothing*  
 13 *in this subtitle shall be construed to modify any provision*  
 14 *of Federal, State, or local law with regard to public access*  
 15 *to or use of private lands.*

16       (b) *LIABILITY.*—*Designation of the Heritage Corridor*  
 17 *shall not be considered to create any liability, or to have*  
 18 *any effect on any liability under any other law, of any pri-*  
 19 *vate property owner with respect to any persons injured*  
 20 *on such private property.*

21       (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 22 *USE.*—*Nothing in this subtitle shall be construed to modify*  
 23 *any authority of Federal, State, or local governments to reg-*  
 24 *ulate land use.*

1       (d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 2 *IN HERITAGE CORRIDOR.*—*Nothing in this subtitle shall be*  
 3 *construed to require the owner of any private property lo-*  
 4 *cated within the boundaries of the Heritage Corridor to*  
 5 *participate in or be associated with the Heritage Corridor.*

6       (e) *EFFECT OF ESTABLISHMENT.*—*The boundaries*  
 7 *designated for the Heritage Corridor represent the area*  
 8 *within which Federal funds appropriated for the purpose*  
 9 *of this subtitle shall be expended. The establishment of the*  
 10 *Heritage Corridor and its boundaries shall not be construed*  
 11 *to provide any nonexisting regulatory authority on land use*  
 12 *within the Heritage Corridor or its viewshed by the Sec-*  
 13 *retary or the local coordinating entity.*

14       (f) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 15 *ERS REQUIRED.*—*No privately owned property shall be pre-*  
 16 *served, conserved, or promoted by the management plan for*  
 17 *the Heritage Corridor until the owner of that private prop-*  
 18 *erty has been notified in writing by the local coordinating*  
 19 *entity and has given written consent for such preservation,*  
 20 *conservation, or promotion to the local coordinating entity.*

21       (g) *LANDOWNER WITHDRAWAL.*—*Any owner of private*  
 22 *property included within the boundary of the Heritage Cor-*  
 23 *ridor shall have their property immediately removed from*  
 24 *within the boundary by submitting a written request to the*  
 25 *local coordinating entity.*



1 **SEC. 295K. AUTHORIZATION OF APPROPRIATIONS.**

2       (a) *IN GENERAL.*—*There is authorized to be appro-*  
 3 *priated for the purposes of this subtitle not more than*  
 4 *\$1,000,000 for any fiscal year. Not more than a total of*  
 5 *\$10,000,000 may be appropriated for the Heritage Corridor*  
 6 *under this subtitle.*

7       (b) *COST SHARE.*—*Federal funding provided under*  
 8 *this subtitle may not exceed 50 percent of the total cost of*  
 9 *any activity for which assistance is provided under this*  
 10 *subtitle.*

11       (c) *IN-KIND CONTRIBUTIONS.*—*The Secretary may ac-*  
 12 *cept in-kind contributions as part of the non-Federal cost*  
 13 *share of any activity for which assistance is provided under*  
 14 *this subtitle.*

15 **SEC. 295L. TERMINATION OF AUTHORITY.**

16       *The authority of the Secretary to provide assistance*  
 17 *under this subtitle terminates on the date that is 15 years*  
 18 *after the date of enactment of this Act.*

19 ***Subtitle J—Crossroads of the Amer-***  
 20 ***ican Revolution National Herit-***  
 21 ***age Area***

22 **SEC. 297. SHORT TITLE.**

23       *This subtitle may be cited as the “Crossroads of the*  
 24 *American Revolution National Heritage Area Act of 2006”.*

25 **SEC. 297A. FINDINGS AND PURPOSES.**

26       (a) *FINDINGS.*—*Congress finds that—*

1           (1) *the State of New Jersey was critically impor-*  
2           *tant during the American Revolution because of the*  
3           *strategic location of the State between the British ar-*  
4           *mies headquartered in New York City, New York, and*  
5           *the Continental Congress in the city of Philadelphia,*  
6           *Pennsylvania;*

7           (2) *General George Washington spent almost half*  
8           *of the period of the American Revolution personally*  
9           *commanding troops of the Continental Army in the*  
10          *State of New Jersey, including 2 severe winters spent*  
11          *in encampments in the area that is now Morristown*  
12          *National Historical Park, a unit of the National*  
13          *Park System;*

14          (3) *it was during the 10 crucial days of the*  
15          *American Revolution between December 25, 1776, and*  
16          *January 3, 1777, that General Washington, after re-*  
17          *treating across the State of New Jersey from the State*  
18          *of New York to the Commonwealth of Pennsylvania in*  
19          *the face of total defeat, recrossed the Delaware River*  
20          *on the night of December 25, 1776, and went on to*  
21          *win crucial battles at Trenton and Princeton in the*  
22          *State of New Jersey;*

23          (4) *Thomas Paine, who accompanied the troops*  
24          *during the retreat, described the events during those*  
25          *days as “the times that try men’s souls”;*

1           (5) *the sites of 296 military engagements are lo-*  
 2           *cated in the State of New Jersey, including—*

3                   (A) *several important battles of the Amer-*  
 4                   *ican Revolution that were significant to—*

5                           (i) *the outcome of the American Revo-*  
 6                           *lution; and*

7                           (ii) *the history of the United States;*  
 8                           *and*

9                   (B) *several national historic landmarks, in-*  
 10                   *cluding Washington's Crossing, the Old Trenton*  
 11                   *Barracks, and Princeton, Monmouth, and Red*  
 12                   *Bank Battlefields;*

13           (6) *additional national historic landmarks in*  
 14           *the State of New Jersey include the homes of—*

15                   (A) *Richard Stockton, Joseph Hewes, John*  
 16                   *Witherspoon, and Francis Hopkinson, signers of*  
 17                   *the Declaration of Independence;*

18                   (B) *Elias Boudinout, President of the Con-*  
 19                   *tinental Congress; and*

20                   (C) *William Livingston, patriot and Gov-*  
 21                   *ernor of the State of New Jersey from 1776 to*  
 22                   *1790;*

23           (7) *portions of the landscapes important to the*  
 24           *strategies of the British and Continental armies, in-*

cluding waterways, mountains, farms, wetlands, villages, and roadways—

(A) retain the integrity of the period of the American Revolution; and

(B) offer outstanding opportunities for conservation, education, and recreation;

(8) the National Register of Historic Places lists 251 buildings and sites in the National Park Service study area for the Crossroads of the American Revolution that are associated with the period of the American Revolution;

(9) civilian populations residing in the State of New Jersey during the American Revolution suffered extreme hardships because of—

(A) the continuous conflict in the State;

(B) foraging armies; and

(C) marauding contingents of loyalist Tories and rebel sympathizers;

(10) because of the important role that the State of New Jersey played in the successful outcome of the American Revolution, there is a Federal interest in developing a regional framework to assist the State of New Jersey, local governments and organizations, and private citizens in—

1           (A) preserving and protecting cultural, his-  
2           toric, and natural resources of the period; and

3           (B) bringing recognition to those resources  
4           for the educational and recreational benefit of  
5           the present and future generations of citizens of  
6           the United States; and

7           (11) the National Park Service has conducted a  
8           national heritage area feasibility study in the State  
9           of New Jersey that demonstrates that there is a suffi-  
10          cient assemblage of nationally distinctive cultural,  
11          historic, and natural resources necessary to establish  
12          the Crossroads of the American Revolution National  
13          Heritage Area.

14          (b) *PURPOSES.*—The purposes of this subtitle are—

15           (1) to assist communities, organizations, and  
16           citizens in the State of New Jersey in preserving—

17           (A) the special historic identity of the State;  
18           and

19           (B) the importance of the State to the  
20           United States;

21           (2) to foster a close working relationship among  
22           all levels of government, the private sector, and local  
23           communities in the State;

24           (3) to provide for the management, preservation,  
25           protection, and interpretation of the cultural, historic,

1        *and natural resources of the State for the educational*  
 2        *and inspirational benefit of future generations;*

3            *(4) to strengthen the value of Morristown Na-*  
 4        *tional Historical Park as an asset to the State by—*

5            *(A) establishing a network of related his-*  
 6        *toric resources, protected landscapes, educational*  
 7        *opportunities, and events depicting the landscape*  
 8        *of the State of New Jersey during the American*  
 9        *Revolution; and*

10           *(B) establishing partnerships between Mor-*  
 11        *ristown National Historical Park and other pub-*  
 12        *lic and privately owned resources in the Herit-*  
 13        *age Area that represent the strategic fulcrum of*  
 14        *the American Revolution; and*

15           *(5) to authorize Federal financial and technical*  
 16        *assistance for the purposes described in paragraphs*  
 17        *(1) through (4).*

18    **SEC. 297B. DEFINITIONS.**

19        *In this subtitle:*

20           *(1) HERITAGE AREA.—The term “Heritage*  
 21        *Area” means the Crossroads of the American Revolu-*  
 22        *tion National Heritage Area established by section*  
 23        *297C(a).*

24           *(2) LOCAL COORDINATING ENTITY.—The term*  
 25        *“local coordinating entity” means the local coordi-*

(4) MAP.—The term “map” means the map entitled “Crossroads of the American Revolution National Heritage Area”, numbered CRRE/80,000, and dated April 2002.

12                   (6) *STATE*.—The term “State” means the State  
13                   of New Jersey.

16 (a) *ESTABLISHMENT.*—*There is established in the*  
17 *State the Crossroads of the American Revolution National*  
18 *Heritage Area.*

22 (c) AVAILABILITY OF MAP.—The map shall be on file  
23 and available for public inspection in the appropriate of-  
24 fices of the National Park Service.

1       (d) *LOCAL COORDINATING ENTITY.*—*The Crossroads of*  
 2   *the American Revolution Association, Inc., a nonprofit cor-*  
 3   *poration in the State, shall be the local coordinating entity*  
 4   *for the Heritage Area.*

5   **SEC. 297D. MANAGEMENT PLAN.**

6       (a) *IN GENERAL.*—*Not later than 3 years after the*  
 7   *date on which funds are made available to carry out this*  
 8   *subtitle, the local coordinating entity shall develop and for-*  
 9   *ward to the Secretary a management plan for the Heritage*  
 10   *Area.*

11       (b) *REQUIREMENTS.*—*The management plan shall—*

12           (1) *include comprehensive policies, strategies,*  
 13       *and recommendations for conservation, funding, man-*  
 14       *agement, and development of the Heritage Area;*

15           (2) *take into consideration existing State, coun-*  
 16       *ty, and local plans;*

17           (3) *describe actions that units of local govern-*  
 18       *ment, private organizations, and individuals have*  
 19       *agreed to take to protect the cultural, historic, and*  
 20       *natural resources of the Heritage Area;*

21           (4) *identify existing and potential sources of*  
 22       *funding for the protection, management, and develop-*  
 23       *ment of the Heritage Area during the first 5 years of*  
 24       *implementation of the management plan; and*

25           (5) *include—*



1           (A) an inventory of the cultural, edu-  
2           cational, historic, natural, recreational, and sce-  
3           nic resources of the Heritage Area relating to the  
4           themes of the Heritage Area that should be re-  
5           stored, managed, or developed;

6           (B) recommendations of policies and strate-  
7           gies for resource management that result in—

8               (i) application of appropriate land  
9               and water management techniques; and

10              (ii) development of intergovernmental  
11              and interagency cooperative agreements to  
12              protect the cultural, educational, historic,  
13              natural, recreational, and scenic resources  
14              of the Heritage Area;

15           (C) a program of implementation of the  
16           management plan that includes for the first 5  
17           years of implementation—

18               (i) plans for resource protection, res-  
19               toration, construction; and

20               (ii) specific commitments for imple-  
21               mentation that have been made by the local  
22               coordinating entity or any government, or-  
23               ganization, or individual;

24           (D) an analysis of and recommendations  
25           for ways in which Federal, State, and local pro-

grams, including programs of the National Park Service, may be best coordinated to promote the purposes of this subtitle; and

(E) an interpretive plan for the Heritage Area.

(c) *APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.*—

(1) *IN GENERAL.*—Not later than 90 days after the date of receipt of the management plan under subsection (a), the Secretary shall approve or disapprove the management plan.

(2) *CRITERIA.*—In determining whether to approve the management plan, the Secretary shall consider whether—

(A) the Board of Directors of the local coordinating entity is representative of the diverse interests of the Heritage Area, including—

(i) governments;

(ii) natural and historic resource protection organizations;

(iii) educational institutions;

(iv) businesses; and

(v) recreational organizations;

(B) the local coordinating entity provided adequate opportunity for public and govern-

1        *mental involvement in the preparation of the*  
 2        *management plan, including public hearings;*

3                *(C) the resource protection and interpreta-*  
 4        *tion strategies in the management plan would*  
 5        *adequately protect the cultural, historic, and*  
 6        *natural resources of the Heritage Area; and*

7                *(D) the Secretary has received adequate as-*  
 8        *surances from the appropriate State and local*  
 9        *officials whose support is needed to ensure the ef-*  
 10       *fective implementation of the State and local as-*  
 11       *pects of the management plan.*

12                *(3) ACTION FOLLOWING DISAPPROVAL.—If the*  
 13        *Secretary disapproves the management plan under*  
 14        *paragraph (1), the Secretary shall—*

15                *(A) advise the local coordinating entity in*  
 16        *writing of the reasons for the disapproval;*

17                *(B) make recommendations for revisions to*  
 18        *the management plan; and*

19                *(C) not later than 60 days after the receipt*  
 20        *of any proposed revision of the management*  
 21        *plan from the local coordinating entity, approve*  
 22        *or disapprove the proposed revision.*

23        *(d) AMENDMENTS.—*

24                *(1) IN GENERAL.—The Secretary shall approve*  
 25        *or disapprove each amendment to the management*

1        *plan that the Secretary determines may make a sub-*  
 2        *stantial change to the management plan.*

3            (2) *USE OF FUNDS.—Funds made available*  
 4        *under this subtitle shall not be expended by the local*  
 5        *coordinating entity to implement an amendment de-*  
 6        *scribed in paragraph (1) until the Secretary approves*  
 7        *the amendment.*

8            (e) *IMPLEMENTATION.—On completion of the 3-year*  
 9        *period described in subsection (a), any funding made avail-*  
 10       *able under this subtitle shall be made available to the local*  
 11       *coordinating entity only for implementation of the ap-*  
 12       *proved management plan.*

13    **SEC. 297E. AUTHORITIES, DUTIES, AND PROHIBITIONS AP-**  
 14                            **PLICABLE TO THE LOCAL COORDINATING EN-**  
 15                            **TITY.**

16        (a) *AUTHORITIES.—For purposes of preparing and*  
 17        *implementing the management plan, the local coordinating*  
 18        *entity may use funds made available under this subtitle*  
 19        *to—*

20            (1) *make grants to, provide technical assistance*  
 21        *to, and enter into cooperative agreements with, the*  
 22        *State (including a political subdivision), a nonprofit*  
 23        *organization, or any other person;*

24            (2) *hire and compensate staff, including individ-*  
 25        *uals with expertise in—*

1                   (A) cultural, historic, or natural resource  
2                   protection; or

3                   (B) heritage programming;

4                   (3) obtain funds or services from any source (in-  
5                   cluding a Federal law or program);

6                   (4) contract for goods or services; and

7                   (5) support any other activity—

8                   (A) that furthers the purposes of the Herit-  
9                   age Area; and

10                  (B) that is consistent with the management  
11                  plan.

12               (b) DUTIES.—In addition to developing the manage-  
13               ment plan, the local coordinating entity shall—

14                   (1) assist units of local government, regional  
15                   planning organizations, and nonprofit organizations  
16                   in implementing the approved management plan  
17                   by—

18                   (A) carrying out programs and projects  
19                   that recognize, protect, and enhance important  
20                   resource values in the Heritage Area;

21                   (B) establishing and maintaining interpre-  
22                   tive exhibits and programs in the Heritage Area;

23                   (C) developing recreational and educational  
24                   opportunities in the Heritage Area;

1           (D) increasing public awareness of and ap-  
2           preciation for cultural, historic, and natural re-  
3           sources of the Heritage Area;

4           (E) protecting and restoring historic sites  
5           and buildings that are—

6                 (i) located in the Heritage Area; and

7                 (ii) related to the themes of the Herit-  
8           age Area;

9           (F) ensuring that clear, consistent, and ap-  
10          propriate signs identifying points of public ac-  
11          cess and sites of interest are installed throughout  
12          the Heritage Area; and

13          (G) promoting a wide range of partnerships  
14          among governments, organizations, and individ-  
15          uals to further the purposes of the Heritage Area;

16          (2) in preparing and implementing the manage-  
17          ment plan, consider the interests of diverse units of  
18          government, businesses, organizations, and individ-  
19          uals in the Heritage Area;

20          (3) conduct public meetings at least semiannu-  
21          ally regarding the development and implementation  
22          of the management plan;

23          (4) for any fiscal year for which Federal funds  
24          are received under this subtitle—

1           (A) submit to the Secretary a report that  
2 describes for the year—

3           (i) the accomplishments of the local co-  
4 ordinating entity;

5           (ii) the expenses and income of the  
6 local coordinating entity; and

7           (iii) each entity to which a grant was  
8 made;

9           (B) make available for audit all informa-  
10 tion relating to the expenditure of the funds and  
11 any matching funds; and

12           (C) require, for all agreements authorizing  
13 expenditures of Federal funds by any entity, that  
14 the receiving entity make available for audit all  
15 records and other information relating to the ex-  
16 penditure of the funds;

17           (5) encourage, by appropriate means, economic  
18 viability that is consistent with the purposes of the  
19 Heritage Area; and

20           (6) maintain headquarters for the local coordi-  
21 nating entity at Morristown National Historical  
22 Park and in Mercer County.

23           (c) PROHIBITION ON THE ACQUISITION OF REAL  
24 PROPERTY.—

1           (1) *FEDERAL FUNDS.*—*The local coordinating*  
 2           *entity shall not use Federal funds made available*  
 3           *under this subtitle to acquire real property or any in-*  
 4           *terest in real property.*

5           (2) *OTHER FUNDS.*—*Notwithstanding paragraph*  
 6           *(1), the local coordinating entity may acquire real*  
 7           *property or an interest in real property using any*  
 8           *other source of funding, including other Federal fund-*  
 9           *ing.*

10 **SEC. 297F. TECHNICAL AND FINANCIAL ASSISTANCE;**  
 11 **OTHER FEDERAL AGENCIES.**

12           (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—

13           (1) *IN GENERAL.*—*On the request of the local co-*  
 14           *ordinating entity, the Secretary may provide tech-*  
 15           *nical and financial assistance to the Heritage Area*  
 16           *for the development and implementation of the man-*  
 17           *agement plan.*

18           (2) *PRIORITY FOR ASSISTANCE.*—*In providing*  
 19           *assistance under paragraph (1), the Secretary shall*  
 20           *give priority to actions that assist in—*

21                   (A) *conserving the significant cultural, his-*  
 22                   *toric, natural, and scenic resources of the Herit-*  
 23                   *age Area; and*



1                   (B) providing educational, interpretive, and  
 2                   recreational opportunities consistent with the  
 3                   purposes of the Heritage Area.

4                   (3) *OPERATIONAL ASSISTANCE.*—Subject to the  
 5                   availability of appropriations, the Superintendent of  
 6                   Morristown National Historical Park may, on re-  
 7                   quest, provide to public and private organizations in  
 8                   the Heritage Area, including the local coordinating  
 9                   entity, any operational assistance that is appropriate  
 10                  for the purpose of supporting the implementation of  
 11                  the management plan.

12                  (4) *PRESERVATION OF HISTORIC PROPERTIES.*—  
 13                  To carry out the purposes of this subtitle, the Sec-  
 14                  retary may provide assistance to a State or local gov-  
 15                  ernment or nonprofit organization to provide for the  
 16                  appropriate treatment of—

17                         (A) historic objects; or

18                         (B) structures that are listed or eligible for  
 19                         listing on the National Register of Historic  
 20                         Places.

21                  (5) *COOPERATIVE AGREEMENTS.*—The Secretary  
 22                  may enter into cooperative agreements with the local  
 23                  coordinating entity and other public or private enti-  
 24                  ties to carry out this subsection.

1       (b) *OTHER FEDERAL AGENCIES.*—Any Federal agency  
 2     conducting or supporting an activity that directly affects  
 3     the Heritage Area shall—

4             (1) *consult with the Secretary and the local co-*  
 5     *ordinating entity regarding the activity;*

6             (2)(A) *cooperate with the Secretary and the local*  
 7     *coordinating entity in carrying out the of the Federal*  
 8     *agency under this subtitle; and*

9             (B) *to the maximum extent practicable, coordi-*  
 10    *nate the activity with the carrying out of those duties;*  
 11    *and*

12            (3) *to the maximum extent practicable, conduct*  
 13    *the activity to avoid adverse effects on the Heritage*  
 14    *Area.*

15   **SEC. 297G. AUTHORIZATION OF APPROPRIATIONS.**

16       (a) *IN GENERAL.*—There is authorized to be appro-  
 17    priated to carry out this subtitle \$10,000,000, of which not  
 18    more than \$1,000,000 may be authorized to be appropriated  
 19    for any fiscal year.

20       (b) *COST-SHARING REQUIREMENT.*—The Federal  
 21    share of the cost of any activity assisted under this subtitle  
 22    shall be not more than 50 percent.

1 **SEC. 297H. TERMINATION OF AUTHORITY.**

2       *The authority of the Secretary to provide assistance*  
 3 *under this subtitle terminates on the date that is 15 years*  
 4 *after the date of enactment of this Act.*

5 **SEC. 297I. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 6 **PROPERTY.**

7       (a) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 8 *ERS REQUIRED.*—*No privately owned property shall be pre-*  
 9 *served, conserved, or promoted by the management plan for*  
 10 *the Heritage Area until the owner of that private property*  
 11 *has been notified in writing by the management entity and*  
 12 *has given written consent for such preservation, conserva-*  
 13 *tion, or promotion to the management entity.*

14       (b) *LANDOWNER WITHDRAW.*—*Any owner of private*  
 15 *property included within the boundary of the Heritage Area*  
 16 *shall have their property immediately removed from the*  
 17 *boundary by submitting a written request to the manage-*  
 18 *ment entity.*

19 **SEC. 297J. PRIVATE PROPERTY PROTECTION.**

20       (a) *ACCESS TO PRIVATE PROPERTY.*—*Nothing in this*  
 21 *title shall be construed to—*

22               (1) *require any private property owner to allow*  
 23 *public access (including Federal, State, or local gov-*  
 24 *ernment access) to such private property; or*

1           (2) *modify any provision of Federal, State, or*  
 2           *local law with regard to public access to or use of pri-*  
 3           *vate property.*

4           (b) *LIABILITY.—Designation of the Heritage Area*  
 5           *shall not be considered to create any liability, or to have*  
 6           *any effect on any liability under any other law, of any pri-*  
 7           *vate property owner with respect to any persons injured*  
 8           *on such private property.*

9           (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 10          *USE.—Nothing in this title shall be construed to modify*  
 11          *the authority of Federal, State, or local governments to reg-*  
 12          *ulate land use.*

13          (d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 14          *IN HERITAGE AREA.—Nothing in this title shall be con-*  
 15          *strued to require the owner of any private property located*  
 16          *within the boundaries of the Heritage Area to participate*  
 17          *in or be associated with the Heritage Area.*

18          (e) *EFFECT OF ESTABLISHMENT.—The boundaries*  
 19          *designated for the Heritage Area represent the area within*  
 20          *which Federal funds appropriated for the purpose of this*  
 21          *title may be expended. The establishment of the Heritage*  
 22          *Area and its boundaries shall not be construed to provide*  
 23          *any nonexisting regulatory authority on land use within*  
 24          *the Heritage Area or its viewshed by the Secretary, the Na-*  
 25          *tional Park Service, or the management entity.*

1 ***TITLE III—NATIONAL HERITAGE***  
 2 ***AREA STUDIES***  
 3 ***Subtitle A—Western Reserve***  
 4 ***Heritage Area Study***

5 ***SEC. 301. SHORT TITLE.***

6 *This subtitle may be cited as the “Western Reserve*  
 7 *Heritage Areas Study Act”.*

8 ***SEC. 302. NATIONAL PARK SERVICE STUDY REGARDING THE***  
 9 ***WESTERN RESERVE, OHIO.***

10 *(a) FINDINGS.—The Congress finds the following:*

11 *(1) The area that encompasses the modern-day*  
 12 *counties of Trumbull, Mahoning, Ashtabula, Portage,*  
 13 *Geauga, Lake, Cuyahoga, Summit, Medina, Huron,*  
 14 *Lorain, Erie, Ottawa, and Ashland in Ohio with the*  
 15 *rich history in what was once the Western Reserve,*  
 16 *has made a unique contribution to the cultural, polit-*  
 17 *ical, and industrial development of the United States.*

18 *(2) The Western Reserve is distinctive as the*  
 19 *land settled by the people of Connecticut after the*  
 20 *Revolutionary War. The Western Reserve holds a*  
 21 *unique mark as the original wilderness land of the*  
 22 *West that many settlers migrated to in order to begin*  
 23 *life outside of the original 13 colonies.*

24 *(3) The Western Reserve played a significant*  
 25 *role in providing land to the people of Connecticut*

1     *whose property and land was destroyed during the*  
 2     *Revolution. These settlers were descendants of the*  
 3     *brave immigrants who came to the Americas in the*  
 4     *17th century.*

5             *(4) The Western Reserve offered a new destina-*  
 6     *tion for those who moved west in search of land and*  
 7     *prosperity. The agricultural and industrial base that*  
 8     *began in the Western Reserve still lives strong in these*  
 9     *prosperous and historical counties.*

10            *(5) The heritage of the Western Reserve remains*  
 11     *transfixed in the counties of Trumbull, Mahoning,*  
 12     *Ashtabula, Portage, Geauga, Lake, Cuyahoga, Sum-*  
 13     *mit, Medina, Huron, Lorain, Erie, Ottawa, and Ash-*  
 14     *land in Ohio. The people of these counties are proud*  
 15     *of their heritage as shown through the unwavering at-*  
 16     *tempts to preserve agricultural land and the indus-*  
 17     *trial foundation that has been embedded in this re-*  
 18     *gion since the establishment of the Western Reserve.*  
 19     *Throughout these counties, historical sites, and mark-*  
 20     *ers preserve the unique traditions and customs of its*  
 21     *original heritage.*

22            *(6) The counties that encompass the Western Re-*  
 23     *serve continue to maintain a strong connection to its*  
 24     *historic past as seen through its preservation of its*

1      *local heritage, including historic homes, buildings,*  
 2      *and centers of public gatherings.*

3            (7) *There is a need for assistance for the preser-*  
 4      *vation and promotion of the significance of the West-*  
 5      *ern Reserve as the natural, historic and cultural her-*  
 6      *itage of the counties of Trumbull, Mahoning, Ash-*  
 7      *tabula, Portage, Geagua, Lake, Cuyahoga, Summit,*  
 8      *Medina, Huron, Lorain, Erie, Ottawa and Ashland*  
 9      *in Ohio.*

10           (8) *The Department of the Interior is responsible*  
 11      *for protecting the Nation's cultural and historical re-*  
 12      *sources. There are significant examples of such re-*  
 13      *sources within these counties and what was once the*  
 14      *Western Reserve to merit the involvement of the Fed-*  
 15      *eral Government in the development of programs and*  
 16      *projects, in cooperation with the State of Ohio and*  
 17      *other local governmental entities, to adequately con-*  
 18      *serve, protect, and interpret this heritage for future*  
 19      *generations, while providing opportunities for edu-*  
 20      *cation and revitalization.*

21      (b) *STUDY.—*

22           (1) *IN GENERAL.—The Secretary, acting through*  
 23      *the National Park Service Rivers, Trails, and Con-*  
 24      *servation Assistance Program, Midwest Region, and*  
 25      *in consultation with the State of Ohio, the counties*

1       *of Trumbull, Mahoning, Ashtabula, Portage, Geauga,*  
 2       *Lake, Cuyahoga, Summit, Medina, Huron, Lorain,*  
 3       *Erie, Ottawa, and Ashland, and other appropriate or-*  
 4       *ganizations, shall carry out a study regarding the*  
 5       *suitability and feasibility of establishing the Western*  
 6       *Reserve Heritage Area in these counties in Ohio.*

7               (2) *CONTENTS.—The study shall include anal-*  
 8       *ysis and documentation regarding whether the Study*  
 9       *Area—*

10               (A) *has an assemblage of natural, historic,*  
 11       *and cultural resources that together represent*  
 12       *distinctive aspects of American heritage worthy*  
 13       *of recognition, conservation, interpretation, and*  
 14       *continuing use, and are best managed through*  
 15       *partnerships among public and private entities*  
 16       *and by combining diverse and sometimes non-*  
 17       *contiguous resources and active communities;*

18               (B) *reflects traditions, customs, beliefs, and*  
 19       *folklife that are a valuable part of the national*  
 20       *story;*

21               (C) *provides outstanding opportunities to*  
 22       *conserve natural, historic, cultural, or scenic fea-*  
 23       *tures;*

24               (D) *provides outstanding recreational and*  
 25       *educational opportunities;*



1           (E) contains resources important to the  
 2           identified theme or themes of the Study Area  
 3           that retain a degree of integrity capable of sup-  
 4           porting interpretation;

5           (F) includes residents, business interests,  
 6           nonprofit organizations, and local and State  
 7           governments that are involved in the planning,  
 8           have developed a conceptual financial plan that  
 9           outlines the roles for all participants, including  
 10          the Federal Government, and have demonstrated  
 11          support for the concept of a national heritage  
 12          area;

13          (G) has a potential local coordinating enti-  
 14          ty to work in partnership with residents, busi-  
 15          ness interests, nonprofit organizations, and local  
 16          and State governments to develop a national her-  
 17          itage area consistent with continued local and  
 18          State economic activity;

19          (H) has a conceptual boundary map that is  
 20          supported by the public; and

21          (I) has potential or actual impact on pri-  
 22          vate property located within or abutting the  
 23          Study Area.

24          (c) *BOUNDARIES OF THE STUDY AREA.*—The Study  
 25          Area shall be comprised of the counties of Trumbull,

1 *Mahoning, Ashtabula, Portage, Geauga, Lake, Cuyahoga,*  
 2 *Summit, Medina, Huron, Lorain, Erie, Ottawa, and Ash-*  
 3 *land in Ohio.*

4       ***Subtitle B—St. Croix National***  
 5               ***Heritage Area Study***

6 ***SEC. 311. SHORT TITLE.***

7       *This subtitle may be cited as the “St. Croix National*  
 8 *Heritage Area Study Act”.*

9 ***SEC. 312. STUDY.***

10       *(a) IN GENERAL.—The Secretary of the Interior, in*  
 11 *consultation with appropriate State historic preservation*  
 12 *officers, States historical societies, and other appropriate*  
 13 *organizations, shall conduct a study regarding the suit-*  
 14 *ability and feasibility of designating the island of St. Croix*  
 15 *as the St. Croix National Heritage Area. The study shall*  
 16 *include analysis, documentation, and determination re-*  
 17 *garding whether the island of St. Croix—*

18               *(1) has an assemblage of natural, historic, and*  
 19 *cultural resources that together represent distinctive*  
 20 *aspects of American heritage worthy of recognition,*  
 21 *conservation, interpretation, and continuing use, and*  
 22 *are best managed through partnerships among public*  
 23 *and private entities and by combining diverse and*  
 24 *sometimes noncontiguous resources and active com-*  
 25 *munities;*

1           (2) *reflects traditions, customs, beliefs, and*  
 2           *folklife that are a valuable part of the national story;*

3           (3) *provides outstanding opportunities to con-*  
 4           *serve natural, historic, cultural, or scenic features;*

5           (4) *provides outstanding recreational and edu-*  
 6           *cational opportunities;*

7           (5) *contains resources important to the identified*  
 8           *theme or themes of the island of St. Croix that retain*  
 9           *a degree of integrity capable of supporting interpreta-*  
 10          *tion;*

11          (6) *includes residents, business interests, non-*  
 12          *profit organizations, and local and State governments*  
 13          *that are involved in the planning, have developed a*  
 14          *conceptual financial plan that outlines the roles of all*  
 15          *participants (including the Federal Government), and*  
 16          *have demonstrated support for the concept of a na-*  
 17          *tional heritage area;*

18          (7) *has a potential local coordinating entity to*  
 19          *work in partnership with residents, business interests,*  
 20          *nonprofit organizations, and local and State govern-*  
 21          *ments to develop a national heritage area consistent*  
 22          *with continued local and State economic activity; and*

23          (8) *has a conceptual boundary map that is sup-*  
 24          *ported by the public.*

1       (b) *REPORT*.—Not later than 3 fiscal years after the  
 2       date on which funds are first made available for this sec-  
 3       tion, the Secretary of the Interior shall submit to the Com-  
 4       mittee on Resources of the House of Representatives and the  
 5       Committee on Energy and Natural Resources of the Senate  
 6       a report on the findings, conclusions, and recommendations  
 7       of the study.

8       (c) *PRIVATE PROPERTY*.—In conducting the study re-  
 9       quired by this section, the Secretary of the Interior shall  
 10      analyze the potential impact that designation of the area  
 11      as a national heritage area is likely to have on land within  
 12      the proposed area or bordering the proposed area that is  
 13      privately owned at the time that the study is conducted.

14      ***Subtitle C—Southern Campaign of***  
 15                                   ***the Revolution***

16      ***SEC. 321. SHORT TITLE.***

17           This subtitle may be cited as the “Southern Campaign  
 18      of the Revolution Heritage Area Study Act”.

19      ***SEC. 322. SOUTHERN CAMPAIGN OF THE REVOLUTION HER-***  
 20                                   ***ITAGE AREA STUDY.***

21      (a) *STUDY*.—The Secretary of the Interior, in con-  
 22      sultation with appropriate State historic preservation offi-  
 23      cers, States historical societies, the South Carolina Depart-  
 24      ment of Parks, Recreation, and Tourism, and other appro-  
 25      priate organizations, shall conduct a study regarding the

1 *suitability and feasibility of designating the study area de-*  
2 *scribed in subsection (b) as the Southern Campaign of the*  
3 *Revolution Heritage Area. The study shall include analysis,*  
4 *documentation, and determination regarding whether the*  
5 *study area—*

6           (1) *has an assemblage of natural, historic, and*  
7 *cultural resources that together represent distinctive*  
8 *aspects of American heritage worthy of recognition,*  
9 *conservation, interpretation, and continuing use, and*  
10 *are best managed through partnerships among public*  
11 *and private entities and by combining diverse and*  
12 *sometimes noncontiguous resources and active com-*  
13 *munities;*

14           (2) *reflects traditions, customs, beliefs, and*  
15 *folklife that are a valuable part of the national story;*

16           (3) *provides outstanding opportunities to con-*  
17 *serve natural, historic, cultural, or scenic features;*

18           (4) *provides outstanding recreational and edu-*  
19 *cational opportunities;*

20           (5) *contains resources important to the identified*  
21 *theme or themes of the study area that retain a degree*  
22 *of integrity capable of supporting interpretation;*

23           (6) *includes residents, business interests, non-*  
24 *profit organizations, and local and State governments*  
25 *that are involved in the planning, have developed a*

1       *conceptual financial plan that outlines the roles of all*  
 2       *participants (including the Federal Government), and*  
 3       *have demonstrated support for the concept of a na-*  
 4       *tional heritage area;*

5           *(7) has a potential local coordinating entity to*  
 6       *work in partnership with residents, business interests,*  
 7       *nonprofit organizations, and local and State govern-*  
 8       *ments to develop a national heritage area consistent*  
 9       *with continued local and State economic activity; and*

10          *(8) has a conceptual boundary map that is sup-*  
 11       *ported by the public.*

12       **(b) STUDY AREA.—**

13           **(1) IN GENERAL.—**

14           **(A) SOUTH CAROLINA.—***The study area*  
 15       *shall include the following counties in South*  
 16       *Carolina: Anderson, Pickens, Greenville County,*  
 17       *Spartanburg, Cherokee County, Greenwood,*  
 18       *Laurens, Union, York, Chester, Darlington, Flor-*  
 19       *ence, Chesterfield, Marlboro, Fairfield, Richland,*  
 20       *Lancaster, Kershaw, Sumter, Orangeburg,*  
 21       *Georgetown, Dorchester, Colleton, Charleston,*  
 22       *Beaufort, Calhoun, Clarendon, and Williams-*  
 23       *burg.*

1           (B) *NORTH CAROLINA.*—*The study area*  
 2           *may include sites and locations in North Caro-*  
 3           *lina as appropriate.*

4           (2) *SPECIFIC SITES.*—*The heritage area may in-*  
 5           *clude the following sites of interest:*

6           (A) *NATIONAL PARK SERVICE SITE.*—*Kings*  
 7           *Mountain National Military Park, Cowpens Na-*  
 8           *tional Battlefield, Fort Moultrie National Monu-*  
 9           *ment, Charles Pickney National Historic Site,*  
 10          *and Ninety Six National Historic Site as well as*  
 11          *the National Park Affiliate of Historic Camden*  
 12          *Revolutionary War Site.*

13          (B) *STATE-MAINTAINED SITES.*—*Colonial*  
 14          *Dorchester State Historic Site, Eutaw Springs*  
 15          *Battle Site, Hampton Plantation State Historic*  
 16          *Site, Landsford Canal State Historic Site, An-*  
 17          *drew Jackson State Park, and Musgrove Mill*  
 18          *State Park.*

19          (C) *COMMUNITIES.*—*Charleston, Beaufort,*  
 20          *Georgetown, Kingstree, Cheraw, Camden,*  
 21          *Winnsboro, Orangeburg, and Cayce.*

22          (D) *OTHER KEY SITES OPEN TO THE PUB-*  
 23          *LIC.*—*Middleton Place, Goose Creek Church,*  
 24          *Hopsewee Plantation, Walnut Grove Plantation,*  
 25          *Fort Watson, and Historic Brattonsville.*

1       (c) *REPORT.*—Not later than 3 fiscal years after the  
 2 date on which funds are first made available to carry out  
 3 this subtitle, the Secretary of the Interior shall submit to  
 4 the Committee on Resources of the House of Representatives  
 5 and the Committee on Energy and Natural Resources of  
 6 the Senate a report on the findings, conclusions, and rec-  
 7 ommendations of the study.

8       **SEC. 323. PRIVATE PROPERTY.**

9       In conducting the study required by this subtitle, the  
 10 Secretary of the Interior shall analyze the potential impact  
 11 that designation of the area as a national heritage area is  
 12 likely to have on land within the proposed area or bordering  
 13 the proposed area that is privately owned at the time that  
 14 the study is conducted.

15       **TITLE IV—ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR ACT AMENDMENTS**

19       **SEC. 401. SHORT TITLE.**

20       This title may be cited as the “Illinois and Michigan  
 21 Canal National Heritage Corridor Act Amendments of  
 22 2006”.



1 **SEC. 402. TRANSITION AND PROVISIONS FOR NEW LOCAL**  
 2 **COORDINATING ENTITY.**

3 *The Illinois and Michigan Canal National Heritage*  
 4 *Corridor Act of 1984 (Public Law 98–398; 16 U.S.C. 461*  
 5 *note) is amended as follows:*

6 (1) *In section 103—*

7 (A) *in paragraph (8), by striking “and”;*

8 (B) *in paragraph (9), by striking the period*  
 9 *and inserting “; and”; and*

10 (C) *by adding at the end the following:*

11 “(10) *the term ‘Association’ means the Canal*  
 12 *Corridor Association (an organization described*  
 13 *under section 501(c)(3) of the Internal Revenue Code*  
 14 *of 1986 and exempt from taxation under section*  
 15 *501(a) of such Code).”.*

16 (2) *By adding at the end of section 112 the fol-*  
 17 *lowing new paragraph:*

18 “(7) *The Secretary shall enter into a memo-*  
 19 *randum of understanding with the Association to help*  
 20 *ensure appropriate transition of the local coordi-*  
 21 *nating entity to the Association and coordination*  
 22 *with the Association regarding that role.”.*

23 (3) *By adding at the end the following new sec-*  
 24 *tions:*

1 **“SEC. 119. ASSOCIATION AS LOCAL COORDINATING ENTITY.**

2       *“Upon the termination of the Commission, the local*  
 3 *coordinating entity for the corridor shall be the Association.*

4 **“SEC. 120. DUTIES AND AUTHORITIES OF ASSOCIATION.**

5       *“For purposes of preparing and implementing the*  
 6 *management plan developed under section 121, the Associa-*  
 7 *tion may use Federal funds made available under this*  
 8 *title—*

9               *“(1) to make loans and grants to, and enter into*  
 10 *cooperative agreements with, States and their polit-*  
 11 *ical subdivisions, private organizations, or any per-*  
 12 *son;*

13               *“(2) to hire, train, and compensate staff; and*

14               *“(3) to enter into contracts for goods and serv-*  
 15 *ices.*

16 **“SEC. 121. DUTIES OF THE ASSOCIATION.**

17       *“The Association shall—*

18               *“(1) develop and submit to the Secretary for ap-*  
 19 *proval under section 123 a proposed management*  
 20 *plan for the corridor not later than 2 years after Fed-*  
 21 *eral funds are made available for this purpose;*

22               *“(2) give priority to implementing actions set*  
 23 *forth in the management plan, including taking steps*  
 24 *to assist units of local government, regional planning*  
 25 *organizations, and other organizations—*

26               *“(A) in preserving the corridor;*

1           “(B) in establishing and maintaining inter-  
2           pretive exhibits in the corridor;

3           “(C) in developing recreational resources in  
4           the corridor;

5           “(D) in increasing public awareness of and  
6           appreciation for the natural, historical, and ar-  
7           chitectural resources and sites in the corridor;  
8           and

9           “(E) in facilitating the restoration of any  
10          historic building relating to the themes of the  
11          corridor;

12          “(3) encourage by appropriate means economic  
13          viability in the corridor consistent with the goals of  
14          the management plan;

15          “(4) consider the interests of diverse govern-  
16          mental, business, and other groups within the cor-  
17          ridor;

18          “(5) conduct public meetings at least quarterly  
19          regarding the implementation of the management  
20          plan;

21          “(6) submit substantial changes (including any  
22          increase of more than 20 percent in the cost estimates  
23          for implementation) to the management plan to the  
24          Secretary; and

1           “(7) for any year in which Federal funds have  
2       been received under this title—

3           “(A) submit an annual report to the Sec-  
4       retary setting forth the Association’s accomplish-  
5       ments, expenses and income, and the identity of  
6       each entity to which any loans and grants were  
7       made during the year for which the report is  
8       made;

9           “(B) make available for audit all records  
10      pertaining to the expenditure of such funds and  
11      any matching funds; and

12          “(C) require, for all agreements authorizing  
13      expenditure of Federal funds by other organiza-  
14      tions, that the receiving organizations make  
15      available for audit all records pertaining to the  
16      expenditure of such funds.

17   **“SEC. 122. USE OF FEDERAL FUNDS.**

18          “(a) *IN GENERAL.*—The Association shall not use Fed-  
19      eral funds received under this title to acquire real property  
20      or an interest in real property.

21          “(b) *OTHER SOURCES.*—Nothing in this title precludes  
22      the Association from using Federal funds from other sources  
23      for authorized purposes.

1 **“SEC. 123. MANAGEMENT PLAN.**

2       “(a) *PREPARATION OF MANAGEMENT PLAN.*—Not  
3 later than 2 years after the date that Federal funds are  
4 made available for this purpose, the Association shall sub-  
5 mit to the Secretary for approval a proposed management  
6 plan that shall—

7               “(1) take into consideration State and local  
8 plans and involve residents, local governments and  
9 public agencies, and private organizations in the cor-  
10 ridor;

11              “(2) present comprehensive recommendations for  
12 the corridor’s conservation, funding, management,  
13 and development;

14              “(3) include actions proposed to be undertaken  
15 by units of government and nongovernmental and  
16 private organizations to protect the resources of the  
17 corridor;

18              “(4) specify the existing and potential sources of  
19 funding to protect, manage, and develop the corridor;  
20 and

21              “(5) include—

22                      “(A) identification of the geographic bound-  
23 aries of the corridor;

24                      “(B) a brief description and map of the cor-  
25 ridor’s overall concept or vision that show key

1        *sites, visitor facilities and attractions, and phys-*  
 2        *ical linkages;*

3                *“(C) identification of overall goals and the*  
 4        *strategies and tasks intended to reach them, and*  
 5        *a realistic schedule for completing the tasks;*

6                *“(D) a listing of the key resources and*  
 7        *themes of the corridor;*

8                *“(E) identification of parties proposed to be*  
 9        *responsible for carrying out the tasks;*

10               *“(F) a financial plan and other informa-*  
 11        *tion on costs and sources of funds;*

12               *“(G) a description of the public participa-*  
 13        *tion process used in developing the plan and a*  
 14        *proposal for public participation in the imple-*  
 15        *mentation of the management plan;*

16               *“(H) a mechanism and schedule for updat-*  
 17        *ing the plan based on actual progress;*

18               *“(I) a bibliography of documents used to de-*  
 19        *velop the management plan; and*

20               *“(J) a discussion of any other relevant*  
 21        *issues relating to the management plan.*

22        *“(b) DISQUALIFICATION FROM FUNDING.—If a pro-*  
 23        *posed management plan is not submitted to the Secretary*  
 24        *within 2 years after the date that Federal funds are made*  
 25        *available for this purpose, the Association shall be ineligible*

1 *to receive additional funds under this title until the Sec-*  
 2 *retary receives a proposed management plan from the Asso-*  
 3 *ciation.*

4       “(c) *APPROVAL OF MANAGEMENT PLAN.*—The Sec-  
 5 *retary shall approve or disapprove a proposed management*  
 6 *plan submitted under this title not later than 180 days after*  
 7 *receiving such proposed management plan. If action is not*  
 8 *taken by the Secretary within the time period specified in*  
 9 *the preceding sentence, the management plan shall be*  
 10 *deemed approved. The Secretary shall consult with the local*  
 11 *entities representing the diverse interests of the corridor in-*  
 12 *cluding governments, natural and historic resource protec-*  
 13 *tion organizations, educational institutions, businesses, rec-*  
 14 *reational organizations, community residents, and private*  
 15 *property owners prior to approving the management plan.*  
 16 *The Association shall conduct semi-annual public meetings,*  
 17 *workshops, and hearings to provide adequate opportunity*  
 18 *for the public and local and governmental entities to review*  
 19 *and to aid in the preparation and implementation of the*  
 20 *management plan.*

21       “(d) *EFFECT OF APPROVAL.*—Upon the approval of  
 22 *the management plan as provided in subsection (c), the*  
 23 *management plan shall supersede the conceptual plan con-*  
 24 *tained in the National Park Service report.*

“(e) *ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves a proposed management plan within the time period specified in subsection (c), the Secretary shall advise the Association in writing of the reasons for the disapproval and shall make recommendations for revisions to the proposed management plan.*

7           “(f) *APPROVAL OF AMENDMENTS.—The Secretary*  
8 *shall review and approve all substantial amendments (in-*  
9 *cluding any increase of more than 20 percent in the cost*  
10 *estimates for implementation) to the management plan.*  
11 *Funds made available under this title may not be expended*  
12 *to implement any changes made by a substantial amend-*  
13 *ment until the Secretary approves that substantial amend-*  
14 *ment.*

15 ***“SEC. 124. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER***  
16 ***FEDERAL AGENCIES.***

17           “(a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—Upon  
18   *the request of the Association, the Secretary may provide*  
19   *technical assistance, on a reimbursable or nonreimbursable*  
20   *basis, and financial assistance to the Association to develop*  
21   *and implement the management plan. The Secretary is au-*  
22   *thorized to enter into cooperative agreements with the Asso-*  
23   *ciation and other public or private entities for this purpose.*  
24   *In assisting the Association, the Secretary shall give pri-*  
25   *ority to actions that in general assist in—*



1           “(1) *conserving the significant natural, historic,*  
2           *cultural, and scenic resources of the corridor; and*

3           “(2) *providing educational, interpretive, and*  
4           *recreational opportunities consistent with the pur-*  
5           *poses of the corridor.*

6           “(b) *DUTIES OF OTHER FEDERAL AGENCIES.—Any*  
7           *Federal agency conducting or supporting activities directly*  
8           *affecting the corridor shall—*

9           “(1) *consult with the Secretary and the Associa-*  
10          *tion with respect to such activities;*

11          “(2) *cooperate with the Secretary and the Asso-*  
12          *ciation in carrying out their duties under this title;*

13          “(3) *to the maximum extent practicable, coordi-*  
14          *nate such activities with the carrying out of such du-*  
15          *ties; and*

16          “(4) *to the maximum extent practicable, conduct*  
17          *or support such activities in a manner which the As-*  
18          *sociation determines is not likely to have an adverse*  
19          *effect on the corridor.*

20       **“SEC. 125. AUTHORIZATION OF APPROPRIATIONS.**

21          “(a) *IN GENERAL.—To carry out this title there is au-*  
22          *thorized to be appropriated \$10,000,000, except that not*  
23          *more than \$1,000,000 may be appropriated to carry out*  
24          *this title for any fiscal year.*

1       “(b) 50 PERCENT MATCH.—The Federal share of the  
 2 cost of activities carried out using any assistance or grant  
 3 under this title shall not exceed 50 percent of that cost.

4       **“SEC. 126. SUNSET.**

5       *“The authority of the Secretary to provide assistance*  
 6 *under this title terminates on the date that is 15 years after*  
 7 *the date of enactment of this section.”.*

8       **SEC. 403. PRIVATE PROPERTY PROTECTION.**

9       *The Illinois and Michigan Canal National Heritage*  
 10 *Corridor Act of 1984 is further amended by adding after*  
 11 *section 126 (as added by section 402) the following new sec-*  
 12 *tions:*

13       **“SEC. 127. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 14                               **PROPERTY.**

15       “(a) NOTIFICATION AND CONSENT OF PROPERTY OWN-  
 16 ERS REQUIRED.—No privately owned property shall be pre-  
 17 served, conserved, or promoted by the management plan for  
 18 the corridor until the owner of that private property has  
 19 been notified in writing by the Association and has given  
 20 written consent for such preservation, conservation, or pro-  
 21 motion to the Association.

22       “(b) LANDOWNER WITHDRAWAL.—Any owner of pri-  
 23 vate property included within the boundary of the corridor,  
 24 and not notified under subsection (a), shall have their prop-

erty immediately removed from the boundary of the corridor  
by submitting a written request to the Association.

**“SEC. 128. PRIVATE PROPERTY PROTECTION.**

“(a) *ACCESS TO PRIVATE PROPERTY.*—Nothing in this  
title shall be construed to—

“(1) require any private property owner to allow  
public access (including Federal, State, or local gov-  
ernment access) to such private property; or

“(2) modify any provision of Federal, State, or  
local law with regard to public access to or use of pri-  
vate property.

“(b) *LIABILITY.*—Designation of the corridor shall not  
be considered to create any liability, or to have any effect  
on any liability under any other law, of any private prop-  
erty owner with respect to any persons injured on such pri-  
vate property.

“(c) *RECOGNITION OF AUTHORITY TO CONTROL LAND  
USE.*—Nothing in this title shall be construed to modify  
the authority of Federal, State, or local governments to reg-  
ulate land use.

“(d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS  
IN CORRIDOR.*—Nothing in this title shall be construed to  
require the owner of any private property located within  
the boundaries of the corridor to participate in or be associ-  
ated with the corridor.

1       “(e) *EFFECT OF ESTABLISHMENT.*—*The boundaries*  
 2 *designated for the corridor represent the area within which*  
 3 *Federal funds appropriated for the purpose of this title may*  
 4 *be expended. The establishment of the corridor and its*  
 5 *boundaries shall not be construed to provide any non-*  
 6 *existing regulatory authority on land use within the cor-*  
 7 *ridor or its viewshed by the Secretary, the National Park*  
 8 *Service, or the Association.”.*

9       **SEC. 404. TECHNICAL AMENDMENTS.**

10       *Section 116 of Illinois and Michigan Canal National*  
 11 *Heritage Corridor Act of 1984 is amended—*

12               *(1) by striking subsection (b); and*

13               *(2) in subsection (a)—*

14                       *(A) by striking “(a)” and all that follows*  
 15 *through “For each” and inserting “(a) For*  
 16 *each”;*

17                       *(B) by striking “Commission” and insert-*  
 18 *ing “Association”;*

19                       *(C) by striking “Commission’s” and insert-*  
 20 *ing “Association’s”;*

21                       *(D) by redesignating paragraph (2) as sub-*  
 22 *section (b); and*

23                       *(E) by redesignating subparagraphs (A)*  
 24 *and (B) as paragraphs (1) and (2), respectively.*

1     **TITLE V—MOKELUMNE RIVER**  
 2             **FEASIBILITY STUDY**

3     **SEC. 501. AUTHORIZATION OF MOKELUMNE RIVER RE-**  
 4             **GIONAL WATER STORAGE AND CONJUNCTIVE**  
 5             **USE PROJECT STUDY.**

6         *Pursuant to the Reclamation Act of 1902 (32 Stat.*  
 7     *388) and Acts amendatory thereof and supplemental there-*  
 8     *to, not later than 2 years after the date of the enactment*  
 9     *of this Act, the Secretary of the Interior (hereafter in this*  
 10    *title referred to as the “Secretary”), through the Bureau of*  
 11    *Reclamation, and in consultation and cooperation with the*  
 12    *Mokelumne River Water and Power Authority, shall com-*  
 13    *plete and submit to the Committee on Resources of the*  
 14    *House of Representatives and the Committee on Energy and*  
 15    *Natural Resources of the Senate copies of a study to deter-*  
 16    *mine the feasibility of constructing a project to provide ad-*  
 17    *ditional water supply and improve water management reli-*  
 18    *ability through the development of new water storage and*  
 19    *conjunctive use programs.*

20    **SEC. 502. USE OF REPORTS AND OTHER INFORMATION.**

21         *In developing the study under section 501, the Sec-*  
 22    *retary shall use, as appropriate, reports and any other rel-*  
 23    *evant information supplied by the Mokelumne River Water*  
 24    *and Power Authority, the East Bay Municipal Utility Dis-*  
 25    *trict, and other Mokelumne River Forum stakeholders.*

1 **SEC. 503. COST SHARES.**

2       (a) *FEDERAL SHARE.*—*The Federal share of the costs*  
 3 *of the study conducted under this title shall not exceed 50*  
 4 *percent of the total cost of the study.*

5       (b) *IN-KIND CONTRIBUTIONS.*—*The Secretary shall ac-*  
 6 *cept, as appropriate, such in-kind contributions of goods*  
 7 *or services from the Mokelumne River Water and Power Au-*  
 8 *thority as the Secretary determines will contribute to the*  
 9 *conduct and completion of the study conducted under this*  
 10 *title. Goods and services accepted under this section shall*  
 11 *be counted as part of the non-Federal cost share for that*  
 12 *study.*

13 **SEC. 504. WATER RIGHTS.**

14       *Nothing in this title shall be construed to invalidate,*  
 15 *preempt, or create any exception to State water law, State*  
 16 *water rights, or Federal or State permitted activities or*  
 17 *agreements.*

18 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

19       *There is authorized to be appropriated to the Secretary*  
 20 *\$3,300,000 for the Federal cost share of the study conducted*  
 21 *under this title.*

1 **TITLE VI—DELAWARE NATIONAL**  
 2 **COASTAL SPECIAL RE-**  
 3 **SOURCES STUDY**

4 **SEC. 601. SHORT TITLE.**

5 *This title may be cited as the “Delaware National*  
 6 *Coastal Special Resources Study Act”.*

7 **SEC. 602. STUDY.**

8 *(a) IN GENERAL.—The Secretary of the Interior (re-*  
 9 *ferred to in this title as the “Secretary”) shall conduct a*  
 10 *special resources study of the national significance, suit-*  
 11 *ability, and feasibility of including sites in the coastal re-*  
 12 *gion of the State of Delaware in the National Park System.*

13 *(b) INCLUSION OF SITES IN THE NATIONAL PARK SYS-*  
 14 *TEM.—The study under subsection (a) shall include an*  
 15 *analysis and any recommendations of the Secretary con-*  
 16 *cerning the suitability and feasibility of designating 1 or*  
 17 *more of the sites along the Delaware coast, including Fort*  
 18 *Christina, as a unit of the National Park System that re-*  
 19 *lates to the themes described in section 603.*

20 *(c) STUDY GUIDELINES.—In conducting the study au-*  
 21 *thorized under subsection (a), the Secretary shall use the*  
 22 *criteria for the study of areas for potential inclusion in the*  
 23 *National Park System contained in section 8 of Public Law*  
 24 *91–383 (16 U.S.C. 1a–5).*

1       (d) *CONSULTATION.*—*In preparing and conducting the*  
 2 *study under subsection (a), the Secretary shall consult*  
 3 *with—*

4               (1) *the State of Delaware;*

5               (2) *the coastal region communities;*

6               (3) *owners of private property that would likely*  
 7 *be impacted by a National Park Service designation;*  
 8 *and*

9               (4) *the general public.*

10 **SEC. 603. THEMES.**

11       *The study authorized under section 602 shall evaluate*  
 12 *sites along the coastal region of the State of Delaware that*  
 13 *relate to—*

14               (1) *the history of indigenous peoples, which*  
 15 *would explore the history of Native American tribes*  
 16 *of Delaware, such as the Nanticoke and Lenni*  
 17 *Lenape;*

18               (2) *the colonization and establishment of the*  
 19 *frontier, which would chronicle the first European*  
 20 *settlers in the Delaware Valley who built fortifications*  
 21 *for the protection of settlers, such as Fort Christina;*

22               (3) *the founding of a nation, which would docu-*  
 23 *ment the contributions of Delaware to the develop-*  
 24 *ment of our constitutional republic;*



1           (4) *industrial development, which would inves-*  
 2           *tigate the exploitation of water power in Delaware*  
 3           *with the mill development on the Brandywine River;*

4           (5) *transportation, which would explore how*  
 5           *water served as the main transportation link, con-*  
 6           *necting Colonial Delaware with England, Europe,*  
 7           *and other colonies;*

8           (6) *coastal defense, which would document the*  
 9           *collection of fortifications spaced along the river and*  
 10          *bay from Fort Delaware on Pea Patch Island to Fort*  
 11          *Miles near Lewes;*

12          (7) *the last stop to freedom, which would detail*  
 13          *the role Delaware has played in the history of the Un-*  
 14          *derground Railroad network; and*

15          (8) *the coastal environment, which would exam-*  
 16          *ine natural resources of Delaware that provide re-*  
 17          *source-based recreational opportunities such as crab-*  
 18          *bing, fishing, swimming, and boating.*

19 **SEC. 604. REPORT.**

20          *Not later than 2 years after funds are made available*  
 21          *to carry out this title under section 605, the Secretary shall*  
 22          *submit to the Committee on Energy and Natural Resources*  
 23          *of the Senate and the Committee on Resources of the House*  
 24          *of Representatives a report containing the findings, conclu-*

1 sions, and recommendations of the study conducted under  
 2 section 602.

3 **TITLE VII—JOHN H. CHAFEE**  
 4 **BLACKSTONE RIVER VALLEY**  
 5 **NATIONAL HERITAGE COR-**  
 6 **RIDOR REAUTHORIZATION**

7 **SEC. 701. SHORT TITLE.**

8 *This title may be cited as the “John H. Chafee Black-*  
 9 *stone River Valley National Heritage Corridor Reauthor-*  
 10 *ization Act of 2006”.*

11 **SEC. 702. JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NA-**  
 12 **TIONAL HERITAGE CORRIDOR.**

13 (a) *COMMISSION MEMBERSHIP.*—Section 3(b) of Pub-  
 14 *lic Law 99–647 (16 U.S.C. 461 note) is amended—*

15 (1) *by striking “nineteen members” and insert-*  
 16 *ing “25 members”;*

17 (2) *in paragraph (2)—*

18 (A) *by striking “six” and inserting “6”;*

19 *and*

20 (B) *by striking “Department of Environ-*  
 21 *mental Management Directors from Rhode Is-*  
 22 *land and Massachusetts” and inserting “the Di-*  
 23 *rector of the Rhode Island Department of Envi-*  
 24 *ronmental Management and the Secretary of the*

1           *Massachusetts Executive Office of Environmental*  
 2           *Affairs”;*

3           *(3) in paragraph (3)—*

4                     *(A) by striking “four” each place it appears*  
 5                     *and inserting “5”; and*

6                     *(B) by striking “and” after the semicolon;*

7           *(4) in paragraph (4)—*

8                     *(A) by striking “two” each place it appears*  
 9                     *and inserting “3”; and*

10                    *(B) by striking the period and inserting “;*  
 11                    *and”; and*

12           *(5) by inserting after paragraph (4) the fol-*  
 13           *lowing:*

14                    *“(5) 1 representative of a nongovernmental orga-*  
 15                    *nization from Massachusetts and 1 from Rhode Is-*  
 16                    *land, to be appointed by the Secretary, which have ex-*  
 17                    *pertise in historic preservation, conservation, outdoor*  
 18                    *recreation, cultural conservation, traditional arts,*  
 19                    *community development, or tourism.”.*

20           *(b) QUORUM.—Section 3(f)(1) of Public Law 99–647*  
 21           *(16 U.S.C. 461 note) is amended by striking “Ten” and*  
 22           *inserting “13”.*

23           *(c) UPDATE OF PLAN.—Section 6 of Public Law 99–*  
 24           *647 (16 U.S.C. 461 note) is amended by adding at the end*  
 25           *the following:*

1       “(e) *UPDATE OF PLAN.*—(1) *Not later than 2 years*  
 2 *after the date of enactment of this subsection, the Commis-*  
 3 *sion shall update the plan under subsection (a).*

4       “(2) *In updating the plan under paragraph (1), the*  
 5 *Commission shall take into account the findings and rec-*  
 6 *ommendations included in the Blackstone Sustainability*  
 7 *Study conducted by the National Park Service Conservation*  
 8 *Study Institute.”*

9       “(3) *The update shall include—*

10           “(A) *performance goals; and*

11           “(B) *an analysis of—*

12               “(i) *options for preserving, enhancing, and*  
 13 *interpreting the resources of the Corridor;*

14               “(ii) *the partnerships that sustain those re-*  
 15 *sources; and*

16               “(iii) *the funding program for the Corridor.*

17       “(4)(A) *Except as provided in subparagraph (B), the*  
 18 *Secretary shall approve or disapprove any changes to the*  
 19 *plan proposed in the update in accordance with subsection*  
 20 *(b).*

21       “(B) *Minor revisions to the plan shall not be subject*  
 22 *to the approval of the Secretary.”.*

23       “(d) *EXTENSION OF COMMISSION.*—*Public Law 99–647*  
 24 *(16 U.S.C. 461 note) is amended by striking section 7 and*  
 25 *inserting the following:*

1 **“SEC. 7. TERMINATION OF COMMISSION.**

2       *“The Commission shall terminate on the date that is*  
 3 *5 years after the date of enactment of the John H. Chafee*  
 4 *Blackstone River Valley National Heritage Corridor Reau-*  
 5 *thorization Act of 2006.”.*

6       *(e) SPECIAL RESOURCE STUDY.—Section 8 of Public*  
 7 *Law 99–647 (16 U.S.C. 461 note) is amended by adding*  
 8 *at the end the following:*

9       *“(d) SPECIAL RESOURCE STUDY.—*

10           *“(1) IN GENERAL.—The Secretary shall conduct*  
 11 *a special resource study of sites and associated land-*  
 12 *scape features within the boundaries of the Corridor*  
 13 *that contribute to the understanding of the Corridor*  
 14 *as the birthplace of the industrial revolution in the*  
 15 *United States.*

16           *“(2) EVALUATION.—Not later than 3 years after*  
 17 *the date on which funds are made available to carry*  
 18 *out this subsection, the Secretary shall complete the*  
 19 *study under paragraph (1) to evaluate the possibility*  
 20 *of—*

21           *“(A) designating 1 or more site or land-*  
 22 *scape feature as a unit of the National Park Sys-*  
 23 *tem; and*

24           *“(B) coordinating and complementing ac-*  
 25 *tions by the Commission, local governments, and*  
 26 *State and Federal agencies, in the preservation*

1           *and interpretation of significant resources with-*  
 2           *in the Corridor.*

3           “(3) *COORDINATION.*—*The Secretary shall co-*  
 4           *ordinate the Study with the Commission.*

5           “(4) *REPORT.*—*Not later than 30 days after the*  
 6           *date on which the study under paragraph (1) is com-*  
 7           *pleted, the Secretary shall submit to the Committee on*  
 8           *Resources of the House of Representatives and the*  
 9           *Committee on Energy and Natural Resources of the*  
 10          *Senate a report that describes—*

11                   “(A) *the findings of the study; and*

12                   “(B) *the conclusions and recommendations*  
 13                   *of the Secretary.”.*

14          “(f) *AUTHORIZATION OF APPROPRIATIONS.*—*Section 10*  
 15          *of Public Law 99–647 (16 U.S.C. 461 note) is amended—*

16                   “(1) *in subsection (a), by striking “\$650,000” and*  
 17                   *inserting “\$1,000,000”; and*

18                   “(2) *by striking subsection (b) and inserting the*  
 19                   *following:*

20                   “(b) *DEVELOPMENT FUNDS.*—*There is authorized to be*  
 21                   *appropriated to carry out section 8(c) not more than*  
 22                   *\$10,000,000 for the period of fiscal years 2006 through*  
 23                   *2016, to remain available until expended.*

1       “(c) *SPECIAL RESOURCE STUDY*.—There are author-  
 2       ized to be appropriated such sums as are necessary to carry  
 3       out section 8(d).”.

4       ***TITLE VIII—CALIFORNIA RECLAMATION***  
 5       ***GROUNDWATER***  
 6       ***REMEDIATION INITIATIVE***

7       ***SEC. 801. SHORT TITLE.***

8       *This title may be cited as the “California Reclamation*  
 9       *Groundwater Remediation Initiative”.*

10      ***SEC. 802. DEFINITIONS.***

11      *For the purposes of this title:*

12           (1) *GROUNDWATER REMEDIATION*.—The term  
 13           “groundwater remediation” means actions that are  
 14           necessary to prevent, minimize, or mitigate damage  
 15           to groundwater.

16           (2) *LOCAL WATER AUTHORITY*.—The term “local  
 17           water authority” means the Santa Clara Valley  
 18           Water District or a public water district, public  
 19           water utility, public water planning agency, munici-  
 20           pality, or Indian tribe located within the Santa  
 21           Clara Valley; and a public water district, public  
 22           water utility, public water planning agency, munici-  
 23           pality, or Indian tribe located within the natural wa-  
 24           tershed of the Santa Ana river in the State of Cali-  
 25           fornia.

1           (3) *REMEDATION FUND.*—*The term “Remedi-*  
 2           *ation Fund” means the California Basins Ground-*  
 3           *water Remediation Fund established pursuant to sec-*  
 4           *tion 803(a).*

5           (4) *SECRETARY.*—*The term “Secretary” means*  
 6           *the Secretary of the Interior.*

7   **SEC. 803. CALIFORNIA BASINS REMEDIATION.**

8           (a) *CALIFORNIA BASINS REMEDIATION.*—

9           (1) *ESTABLISHMENT OF REMEDIATION FUND.*—  
 10          *There shall be established within the Treasury of the*  
 11          *United States an interest bearing account to be*  
 12          *known as the California Basins Groundwater Reme-*  
 13          *diation Fund.*

14          (2) *ADMINISTRATION OF REMEDIATION FUND.*—  
 15          *The Remediation Fund shall be administered by the*  
 16          *Secretary of the Interior, acting through the Bureau*  
 17          *of Reclamation. The Secretary shall administer the*  
 18          *Remediation Fund in cooperation with the local*  
 19          *water authority.*

20          (3) *PURPOSES OF REMEDIATION FUND.*—

21                (A) *IN GENERAL.*—*Subject to subparagraph*  
 22                *(B), the amounts in the Remediation Fund, in-*  
 23                *cluding interest accrued, shall be used by the*  
 24                *Secretary to provide grants to the local water*  
 25                *authority to reimburse the local water authority*



1       *for the Federal share of the costs associated with*  
 2       *designing and constructing groundwater remedi-*  
 3       *ation projects to be administered by the local*  
 4       *water authority.*

5               *(B) COST-SHARING LIMITATION.—*

6               *(i) IN GENERAL.—The Secretary may*  
 7       *not obligate any funds appropriated to the*  
 8       *Remediation Fund in a fiscal year until the*  
 9       *Secretary has deposited into the Remedi-*  
 10       *ation Fund an amount provided by non-*  
 11       *Federal interests sufficient to ensure that at*  
 12       *least 35 percent of any funds obligated by*  
 13       *the Secretary for a project are from funds*  
 14       *provided to the Secretary for that project by*  
 15       *the non-Federal interests.*

16              *(ii) NON-FEDERAL RESPONSIBILITY.—*  
 17       *Each local water authority shall be respon-*  
 18       *sible for providing the non-Federal amount*  
 19       *required by clause (i) for projects under*  
 20       *that local water authority. The State of*  
 21       *California, local government agencies, and*  
 22       *private entities may provide all or any por-*  
 23       *tion of the non-Federal amount.*

24              *(iii) CREDITS TOWARD NON-FEDERAL*  
 25       *SHARE.—For purposes of clause (ii), the*

1           *Secretary shall credit the appropriate local*  
 2           *water authority with the value of all prior*  
 3           *expenditures by non-Federal interests made*  
 4           *after January 1, 2000, that are compatible*  
 5           *with the purposes of this section, includ-*  
 6           *ing—*

7                     *(I) all expenditures made by non-*  
 8                     *Federal interests to design and con-*  
 9                     *struct groundwater remediation*  
 10                    *projects, including expenditures associ-*  
 11                    *ated with environmental analyses and*  
 12                    *public involvement activities that were*  
 13                    *required to implement the groundwater*  
 14                    *remediation projects in compliance*  
 15                    *with applicable Federal and State*  
 16                    *laws; and*

17                    *(II) all expenditures made by*  
 18                    *non-Federal interests to acquire lands,*  
 19                    *easements, rights-of-way, relocations,*  
 20                    *disposal areas, and water rights that*  
 21                    *were required to implement a ground-*  
 22                    *water remediation project.*

23           **(b) COMPLIANCE WITH APPLICABLE LAW.**—*In car-*  
 24           *rying out the activities described in this section, the Sec-*

1 *retary shall comply with any applicable Federal and State*  
 2 *laws.*

3       (c) *RELATIONSHIP TO OTHER ACTIVITIES.*—*Nothing*  
 4 *in this section shall be construed to affect other Federal or*  
 5 *State authorities that are being used or may be used to fa-*  
 6 *cilitate remediation and protection of any groundwater*  
 7 *subbasin eligible for funding pursuant to this title. In car-*  
 8 *rying out the activities described in this section, the Sec-*  
 9 *retary shall integrate such activities with ongoing Federal*  
 10 *and State projects and activities. None of the funds made*  
 11 *available for such activities pursuant to this section shall*  
 12 *be counted against any Federal authorization ceiling estab-*  
 13 *lished for any previously authorized Federal projects or ac-*  
 14 *tivities.*

15       (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
 16 *authorized to be appropriated to the Remediation Fund*  
 17 *\$25,000,000. Subject to the limitations in section 804, such*  
 18 *funds shall remain available until expended.*

19 **SEC. 804. SUNSET OF AUTHORITY.**

20       *This title—*

21               (1) *shall take effect on the date of the enactment*  
 22 *of this Act; and*

23               (2) *is repealed effective as of the date that is 10*  
 24 *years after the date of the enactment of this Act.*

***TITLE IX—NATIONAL COAL  
HERITAGE AREA***

***SEC. 901. NATIONAL COAL HERITAGE AREA AMENDMENTS.***

*Title I of Division II of the Omnibus Parks and Public  
Lands Management Act of 1996 is amended as follows:*

*(1) In section 103(b)—*

*(A) by striking “comprised of the counties”  
and inserting “shall be comprised of the fol-  
lowing:*

*“(1) The counties; and”.*

*(B) by inserting after paragraph (1) (as so  
designated by paragraph (1) of this subsection)  
the following new paragraphs:*

*“(2) Lincoln County, West Virginia.*

*“(3) Paint Creek and Cabin Creek within  
Kanawha County, West Virginia.”.*

*(2) In section 104, by striking “Governor” and  
all that follows through “organizations” and inserting  
“National Coal Heritage Area Authority, a public  
corporation and government instrumentality estab-  
lished by the State of West Virginia, pursuant to*

- 1       *which the Secretary shall assist the National Coal*
- 2       *Heritage Area Authority”.*

Attest:

*Clerk.*



109TH CONGRESS  
2D SESSION

**S. 203**

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**AMENDMENT**